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THE

LEGISLATIVE ASSEMBLY DEBATES

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(28th February to 17th March, 1936)

THIRD SESSION

OF THE

FIFTH LEGISLATIVE ASSEMBLY,
1936



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1936

Legislative Assembly.

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MR. M. S. ANEY, M.L.A.

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LEGISLATIVE ASSEMBLY.

Friday, 6th March, 1936.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

QUESTIONS AND ANSWERS.

STEPS TO IMPROVE THE RAILWAY FINANCES.

963. ***Mr. S. Satyamurti**: Will Government be pleased to state:

- (a) whether their attention has been drawn to the leading article in the *Hindu*, Madras, dated 17th January, 1936, entitled "Railway Earnings",
- (b) what steps they have taken or propose to take to improve the railway finance; and
- (c) whether they propose to have the whole question considered by an expert committee of the House, in view of the seriousness of the situation?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) I would refer the Honourable Member to the speech I have made in this House in connection with the railway budget.

(c) As the Honourable Member is aware, the last enquiry by a committee into railway finances was that of the Railway Retrenchment Sub-Committee in 1931, composed of three Members of this House, one Member of the Council of State and two outsiders. They recommended a full enquiry into the details of working by a small committee composed of financial and railway experts. An investigation on these lines is under the consideration of Government.

Mr. S. Satyamurti: Have they come to any conclusion on the suggestion made by the Honourable the Finance Member that, if Provincial Governments do not agree to controlling the rail-road competition with a view to its not affecting railway finances adversely, they will have to wait long for their claims to income-tax? Have they considered the question, or was it merely the Finance Member's own statement?

The Honourable Sir Muhammad Zafrullah Khan: That is a hypothetical question. I think what the Honourable the Finance Member said was that, if things continue, as they are, and railways continue to lose, as they are losing from the motor transport competition, there will be so much the less chance of the provinces getting their share of income-tax.

Mr. S. Satyamurti: With reference to clause (c) of the question, may I know, in view of the very disquieting situation with regard to railway

finance, what objection the Government can have to constituting a fresh expert committee of this House,—such experts as we are—to go into the whole question and make suitable, necessary recommendations?

The Honourable Sir Muhammad Zafrullah Khan: As I have already explained, when a committee of this House was set up, they recommended that these questions should be dealt with by a small committee composed mainly of financial and railway experts—not Members of this House—and Government have that suggestion under consideration. There have been committees in between, the Pope Committee, etc., and since then Government have under consideration the question whether another expert committee should be set up.

Mr. S. Satyamurti: May I take it that Government have turned down the proposal to have a committee of this House, which, after all, represents the public opinion of this country, to the extent to which it does that?

The Honourable Sir Muhammad Zafrullah Khan: Sir, a committee of this House that was appointed recommended an expert committee for this purpose?

Mr. S. Satyamurti: May I know what the attitude of the Government is towards my suggestion contained in clause (c) of the question?

The Honourable Sir Muhammad Zafrullah Khan: The matter is under consideration.

Dr. Ziauddin Ahmad: May I just say, Sir, that I was a member of that committee of 1931 and we recommended its abolition on the understanding that a committee of experts was to be appointed. In November, 1931, and then it was settled that Members of the Legislature would not be precluded from sitting on the committee. The actual recommendation was that a committee was to be appointed by the Government, but the Members of the Legislature were not to be excluded?

The Honourable Sir Muhammad Zafrullah Khan: I have read out from the report of the committee itself that the committee should be composed mainly of experts.

Mr. S. Satyamurti: Are there no financial experts in this House?

The Honourable Sir Muhammad Zafrullah Khan: I merely read out what the recommendation of the committee was.

RE-BUILDING OF QUETTA.

964. ***Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) whether they have formed any estimate of the cost of re-building Quetta;
- (b) whether any foreign architect has been appointed for the building of Quetta; and
- (c) why a foreigner has been preferred to an Indian?

Sir Aubrey Metcalfe: (a) The reply has already been given by the Honourable the Finance Member in his budget speech.

(b) The Secretary of State for India has been asked to recruit an architect on a regular monthly salary.

(c) Enquiries showed that it was likely to be considerably more economical to adopt this course than to pay the fees of any of the architects in this country who possess the requisite qualifications.

Mr. Lalchand Navalrai: May I know if an Indian architect will be joined on to that officer so that they may both work together?

Sir Aubrey Metcalfe: I cannot say at present. It will depend on whether another architect is required.

Mr. T. S. Avinashilingam Chettiar: May I know why it is that Government think that recruiting a foreign architect will be cheaper than recruiting an architect here?

Sir Aubrey Metcalfe: For the reasons stated.

Mr. T. S. Avinashilingam Chettiar: No reasons are stated.

Sir Aubrey Metcalfe: The reasons are stated. I have said that inquiries showed that it was likely to be considerably more economical to adopt this course than to pay the fees of any of the architects in this country who possess the requisite qualifications.

Mr. S. Satyamurti: What are the requisite qualifications?

Sir Aubrey Metcalfe: The qualifications required are a knowledge of reinforced concrete, steel framing and other earthquake-proof designs.

Mr. S. Satyamurti: May I know if any estimates have been framed, in figures, of the fees likely to be demanded by such qualified architects in India, and whether any estimates were obtained of the fees payable to foreign experts, and what the difference would amount to?

Sir Aubrey Metcalfe: As I tried to explain, fees are not going to be paid on a percentage scale at all. The architect coming out from England will be paid a monthly salary.

Mr. S. Satyamurti: May I know if there is no Indian architect familiar with Indian buildings, who can be paid a monthly salary, if employed for this purpose?

Sir Aubrey Metcalfe: I understand there was no one, who had these particular qualifications which I have described, available in India.

Mr. S. Satyamurti: Who made the Foreign Secretary so understand?

Sir Aubrey Metcalfe: The committee which had to select the architect.

Mr. S. Satyamurti: Which committee?

Sir Aubrey Metcalfe: I think it was the Quetta Earthquake Committee. As to what exactly that committee said, I must have notice of that question.

Mr. S. Satyamurti: Sir, the Foreign Secretary says that they have formed some estimate, and they have come to the conclusion that it would be more economical to engage a foreign expert than to engage an Indian on a monthly fee. He now tells us that he has no exact information as to who advised him, what the fees are, and who has to appoint that committee, and he says he must ask for notice of all these questions. I submit, Sir, that it is less than fair.

Mr. President (The Honourable Sir Abdur Rahim): Some committee was formed, and it might have advised the Foreign Secretary that.

Mr. S. Satyamurti: Sir, clause (c) of my question asks why a foreigner has been preferred to an Indian. That is a comprehensive question.

Mr. President (The Honourable Sir Abdur Rahim): He has given the answer to that.

Mr. S. Satyamurti: No, Sir, he simply says that some estimates were made, but no figures are forthcoming, and so forth.

Mr. President (The Honourable Sir Abdur Rahim): He has said that it will be cheaper to engage a foreign expert on a monthly salary than to engage an Indian expert.

Mr. S. Satyamurti: I want an elucidation of that answer,—the figures on the basis of which he gives that answer.

Mr. President (The Honourable Sir Abdur Rahim): He cannot answer the question off-hand and the Chair cannot compel him to do so.

Mr. Lalchand Navalrai: What is the monthly salary this foreign expert will get?

Sir Aubrey Metcalfe: I must have notice of that.

Seth Haji Abdoola Haroon: Is it also a fact that even the contractor will be a foreigner (Hear, hear)—that the work should be given to a foreign contractor?

Sir Aubrey Metcalfe: So far as I am aware, contracts have not yet been given out.

Mr. T. S. Avinashilingam Chettiar: Will my Honourable friend give a guarantee to this House that contracts will always be given to Indian contractors?

Sir Aubrey Metcalfe: Certainly not.

Mr. Lalchand Navalrai: Is that the only officer being sent for from outside, or other officers also?

Sir Aubrey Metcalfe: Besides him, a town-planning expert also, who will probably be a European.

Seth Haji Abdoola Haroon: Is it also a fact that a new system has been evolved in the Quetta Re-building Committee that all the plans and estimates should be prepared by the contractor himself and he must come out with plans, and that Government will only ask for certain requirements to be complied with, but that the contractor must frame his own plans, etc., and then he will submit all these to the Committee along with his tender?

Sir Aubrey Metcalfe: It is impossible for me to give the exact details of how the contracts are to be given out. The Honourable Member is himself a member of the Quetta Consultative Committee, and presumably he knows what is being done.

Seth Haji Abdoola Haroon: Was not that committee an advisory committee? That committee has nothing to do with contracts. That committee is concerned only with salvage of the property.

Mr. T. S. Avinashilingam Chettiar: Will Government call for tenders for these contracts by advertising in the newspapers and then accept the best tender?

Sir Aubrey Metcalfe: I understand that all contracts are being put out to tender.

Mr. S. Satyamurti: Have Government formed any final estimate of the cost of re-building the devastated city of Quetta? Does it amount to between eight and nine crores, including posts and telegraphs and railways and the expenditure already incurred?

Sir Aubrey Metcalfe: I have already referred the House to the speech made by the Honourable the Finance Member in introducing his budget. He gave the figures so far as they are at present available.

Dr. Ziauddin Ahmad: The point raised by my Honourable friend, Seth Haji Abdoola Haroon, is a very important one. Is it or is it not a fact that contractors are asked to draw up their own plans and prepare their own estimates and the Government only give sanction? Or is it that the Government engineers will draw up these estimates and tenders will be invited on those estimates?

Sir Aubrey Metcalfe: The question asked by the Honourable Member is so important that I must have notice.

Sardar Sant Singh: May I know if this post has been advertised in India?

Sir Aubrey Metcalfe: No.

Sardar Sant Singh: Why has it not been advertised in India?

Sir Aubrey Metcalfe: I have already fully explained, and I can give no further information.

Mr. S. Satyamurti: Sir, I do not ask question No. 965.

†965*

PREVENTION OF THE CIRCULATION OF MISS MAYO'S BOOK ENTITLED—
"THE FACE OF MOTHER INDIA".

966. *Mr. S. Satyamurti: Will Government be pleased to state:

- (a) whether they have taken any steps to prevent the circulation of Miss Mayo's book entitled "The Face of Mother India" in countries other than India; and
- (b) whether they have made or propose to make any representations through recognised diplomatic channels to other countries, requesting them to stop circulation of the book in those countries?

The Honourable Sir Henry Craik: (a) and (b). The Government of India much regret the publication of a book of this kind and they asked the Secretary of State for India to consider whether any action could be taken to prevent or restrict its circulation in England and other countries. The Secretary of State fully agrees with the views of the Government of India about the book and regrets that currency should be given to opinions which would have the unfortunate result of giving deep offence to the Hindus but he has informed us that there are no powers under which action could be taken against the book in the United Kingdom. An Empire-wide ban is, therefore, impossible.

Mr. S. Satyamurti: Will the Government of India request the Secretary of State for India, apart from actual prohibition of this book, to make representations through His Majesty's Representatives, especially in America, to bring persuasion or gentle pressure to bear upon the Government, in view of the strong feeling in this country about the contents of this book that they may take such steps as are available to them to stop the circulation of this book which is highly defamatory of India?

The Honourable Sir Henry Craik: I am prepared to pass on that suggestion to the Secretary of State, but I am afraid it will do no good.

Mr. S. Satyamurti: Will the Honourable Member pass on that suggestion, with a strong recommendation on this matter that the Government agree with the people of this country?

The Honourable Sir Henry Craik: I have done that. I have already made representations to that effect.

Mr. S. Satyamurti: Will he kindly do it again?

Mr. N. M. Joshi: May I ask whether Government are aware that when a book is proscribed, it is generally sold more widely than otherwise?

† Not put by the questioner.

The Honourable Sir Henry Craik: I am afraid the Honourable Member is right that there is a tendency to use the ban as an advertisement for the book. That is very regrettable.

Mr. N. M. Joshi: May I ask whether the Government of India will stop the practice of proscribing books hereafter? (Hear, hear.)

(No answer.)

COMPETITIVE EXAMINATIONS IN INDIA.

967. *Mr. S. Satyamurti: Will Government be pleased to state:

- (a) whether their attention has been drawn to a leading article in the *Hindu*, Madras, dated 20th January, 1986, on Sir Michael O'Dwyer's letter to the *Times*, commenting on the results of the last I. C. S. examination held in England;
- (b) whether they are taking any action in the matter; and
- (c) whether the present system of competitive examination will continue?

The Honourable Sir Henry Craik: (a) Yes.

(b) and (c). The general question of recruitment for the Indian Civil Service is still under consideration.

Mr. S. Satyamurti: May I know if the attention of the Government of India has been drawn to an answer or to a speech of Mr. Butler, the Under Secretary of State for India in the House of Commons, in answer, I believe, to a question of Sir Reginald Craddock about this very matter, in which the Under Secretary of State stated that they are considering this whole question, and that they hope to make rules very soon to restore the fifty-fifty per cent. ratio? May I ask whether that statement was made with the knowledge or after consultation with the Government of India?

The Honourable Sir Henry Craik: I have only seen a Press report of that question and answer. But the Honourable Member must remember that recruitment to the Indian Civil Service is a matter for the Secretary of State for India and not for the Government of India.

Mr. S. Satyamurti: Does the Secretary of State never consult the Government of India on this matter, or did he not consult them on this particular matter?

The Honourable Sir Henry Craik: On this particular question, no, Sir.

Mr. S. Satyamurti: Does the Secretary of State generally consult the Government of India with regard to recruitment in England of members of Indian Civil Service or other services?

The Honourable Sir Henry Craik: Yes, sometimes; but not, I think, invariably. He consults other authorities as well as the Government of India, for instance, the Civil Service Commissioners, the Universities, etc.

Mr. S. Satyamurti: With reference to part (c), may I know if the Government of India have been consulted at any time recently by the Secretary of State on the question of giving up wholly or partially competition by examination, in order to increase the British element in the Indian Civil Service more than is obtained by competitive examination, and of modifying that system and reserving some powers to the Secretary of State, to nominate a certain number of Britishers independent of the results of the competitive examination?

The Honourable Sir Henry Craik: I cannot say more than that the question is under consideration.

Mr. S. Satyamurti: I want simply to know whether the Government of India have been consulted on this particular aspect of the question, which I suggest to the Honourable Member.

The Honourable Sir Henry Craik: About the steps to restore the fifty-fifty ratio in recruitment?

Mr. S. Satyamurti: By giving up competition, wholly or partially?

The Honourable Sir Henry Craik: Those are the matters which are under consideration.

Mr. S. Satyamurti: Have the Government of India sent any opinion on that to the Secretary of State?

The Honourable Sir Henry Craik: I cannot say more than that this matter is under consideration. I am not prepared to say anything further.

Mr. S. Satyamurti: I want a ruling from you, Sir. The rules say that, in matters which are matters of controversy between the Secretary of State and the Government of India, the Government may refuse to answer a question. Mere correspondence is not a matter of controversy. If so, let the Honourable Member say so.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has given sufficient answers to the questions that have been put.

Mr. S. Satyamurti: What is your ruling, Sir?

Mr. President (The Honourable Sir Abdur Rahim): The ruling is that he has sufficiently answered the question.

MARKING OF THE PLACE OF ORIGIN ON GOODS COMING FROM FOREIGN COUNTRIES.

968. ***Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) whether they have received any communication from the Southern India Chamber of Commerce regarding British goods, particularly, piece-goods, which are being imported into India under the indigenous labels without any indication of their having been manufactured in Great Britain, asking them to

suitably amend the Sea Customs Act so as to necessitate the marking of the place of origin on goods coming from foreign countries including Britain;

(b) whether they have taken any steps; and

(c) if not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes, Sir.

(b) and (c). The matter is under consideration.

Mr. S. Satyamurti: When did they receive that representation?

The Honourable Sir Muhammad Zafrullah Khan: I would require notice.

Mr. S. Satyamurti: Are Government satisfied that the allegations are in the main true?

The Honourable Sir Muhammad Zafrullah Khan: I cannot make any statement on that as the Government are considering the matter, and if they find that the statement is true, they will consider what action would be suitable to stop that practice.

Mr. S. Satyamurti: May I know if they are considering both the matters? First of all, the truth of the allegation and secondly, whether any steps are called for, in case the allegation is true.

The Honourable Sir Muhammad Zafrullah Khan: Yes, they will consider both.

Mr. S. Satyamurti: Will the Honourable Member expedite matters, because, in case the allegation is true, it is very dangerous to Indian trade?

The Honourable Sir Muhammad Zafrullah Khan: Yes, Sir. I will try to expedite the matter.

Mr. Lalchand Navalrai: Will Government also consider the fact that, after they are imported, the labels are changed?

The Honourable Sir Muhammad Zafrullah Khan: There were some allegations of that character with regard to imports from Japan, but I am not sure that an allegation of that kind had been made with regard to this.

Mr. Lalchand Navalrai: Are Government considering that question?

The Honourable Sir Muhammad Zafrullah Khan: To that I have already replied that the existing law is quite adequate on the matter. This is a different matter altogether.

Mr. S. Satyamurti: I wish, with your permission, Sir, to make an alteration in this question. To part (a) of this question, in the last line, I wish to add "the wives of voters qualified on account of their paying any tax or owning any property". I wish to add this, because it is contemplated in the rules.

Mr. President (The Honourable Sir Abdur Rahim): It may be contemplated in the rules, but the Honourable Member cannot alter the question now.

DIVISION OF THE ELECTORAL ROLLS FOR THE PROVINCIAL LEGISLATURE INTO TWO PARTS BY THE MADRAS GOVERNMENT.

969. *Mr. S. Satyamurti: Will Government be pleased to state:

- (a) whether their attention has been drawn to the action of the Madras Government in dividing the electoral rolls for the Provincial Legislature into two parts; the first part to include the names of the property owners and tax-payers, and the second part to consist of literates and guardians of minors;
- (b) whether they were consulted in this matter;
- (c) if so, what their opinions are; and
- (d) the reason why such a division was made?

The Honourable Sir Nripendra Sircar: (a) and (b). No.

(c) and (d). These questions do not arise.

Mr. S. Satyamurti: May I know if Government have made any enquiries in this matter?

The Honourable Sir Nripendra Sircar: As regards part (a) of the question, no, Sir.

Mr. S. Satyamurti: Why not, Sir?

The Honourable Sir Nripendra Sircar: I cannot enquire into a matter of which I have no notice.

Mr. S. Satyamurti: I have given notice. After receipt of this question, in view of the importance of making the electoral rolls as complete as possible, Government could have made enquiries to find out if the Madras Government have divided the electoral rolls into two parts, the one to be automatically filled up by Government, and the other to be filled up only if applications are made.

The Honourable Sir Nripendra Sircar: It is impossible for Government to make inquiries into various matters on which information is received from the 1,500 questions, within such a short time.

Mr. S. Satyamurti: May I know whether it is impossible on a matter of this kind?

The Honourable Sir Nripendra Sircar: There are matters of other kinds also, equally important according to others.

Mr. S. Satyamurti: I am only asking about this kind.

The Honourable Sir Nripendra Sircar: I have given the information that no inquiry has been made.

Mr. S. Satyamurti: May I know the reason why?

The Honourable Sir Nripendra Sircar: I have given the information that no inquiry was made, because we received no information in time to make any inquiry.

Mr. S. Satyamurti: What is the extent of time during which Government want to make an inquiry into the question?

Mr. President (The Honourable Sir Abdur Rahim): Next question.

RESOLUTIONS PASSED AT THE MEETING HELD UNDER THE AUSPICES OF THE RAILWAY WORKERS' ASSOCIATION, MORADABAD.

970. *Mr. S. Satyamurti: Will Government be pleased to state:

- (a) whether their attention has been drawn to resolutions 8 and 9 passed at the meetings held under the auspices of the Railway Workers' Association (Registered), Moradabad, on 9th and 12th January, 1936;
- (b) whether they propose to take action on the lines suggested in those resolutions; and
- (c) if not, why not?

The Honourable Sir Muhammad Zafrullah Khan: These resolutions contain allegations of a sweeping character which Government have no reason to believe are well-founded. Government, therefore, do not propose to take any action.

Mr. S. Satyamurti: Did they make any kind of inquiries to satisfy themselves that the allegations were so wild as to be *prima facie* unfounded?

The Honourable Sir Muhammad Zafrullah Khan: The character of the allegations themselves is such that, having regard to the information which Government have in their possession, they must be held not to have been well-founded.

Mr. S. Satyamurti: May I take it, therefore, that no inquiry was made at all, and no inquiry is proposed to be made?

The Honourable Sir Muhammad Zafrullah Khan: Not after these resolutions. But I might inform the Honourable Member that there is one minor point in one of those resolutions which I am taking up and which I did not mention because it did not affect the main question. And that is with regard to a succession certificate being taken as sufficient evidence of the person holding the succession certificate as being entitled to the amount of compensation payable.

STATEMENT OF GRIEVANCES BY THE RAILWAY WORKERS' ASSOCIATION, MORADABAD.

971. *Mr. S. Satyamurti: Will Government be pleased to state:

- (a) whether their attention has been drawn to a statement of grievances by the Railway Workers' Association (Registered), Moradabad;

(b) whether they have looked into the grievances; and

(c) if so, what action they propose to take to redress their grievances?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) and (c). These are matters of detailed administration which are being brought to the notice of the Agent, East Indian Railway, for such action as he may consider necessary.

BROADCASTING OF COMMERCIAL NEWS IN THE MORNING.

972. *Mr. S. Satyamurti: Will Government be pleased to state:

(a) whether they have taken any steps by way of reviving the broadcasting of commercial news in the morning, which was stopped from 1934;

(b) whether they are aware that there is a demand for such a revival; and

(c) whether they will arrange for the commercial news being broadcast from morning, 6 A.M.?

The Honourable Sir Frank Noyce: (a) and (c). The matter is at present under consideration.

(b) Yes, but Government are not yet entirely satisfied that the demand extends beyond purely speculative interests.

Mr. S. Satyamurti: In view of the increased grant for broadcasting, which my Honourable friend wants and is likely to get in the next week, will he favourably consider this broadcasting of commercial news in the morning?

The Honourable Sir Frank Noyce: I have said that the matter is at present under consideration. I am having a careful inquiry made into it.

Mr. S. Satyamurti: Will it be favourable consideration?

The Honourable Sir Frank Noyce: That depends on the report I get.

Mr. S. Satyamurti: From whom is the report being called for?

The Honourable Sir Frank Noyce: The Controller of Broadcasting is investigating the question now.

Mr. M. Ananthasayanam Ayyangar: Are Government considering the broadcasting of commercial news, whether in the morning or evening or mid-day or mid-night, so far as Delhi is concerned?

The Honourable Sir Frank Noyce: I take it that the main question under consideration is whether the broadcasting of commercial news in the morning should be revived.

TRADE DISPUTE ARISING OUT OF THE DISCHARGE FROM THE MADRAS AND SOUTHERN MAHRATTA RAILWAY SERVICE OF MR. G. KRISHNAMURTHY.

973. *Mr. S. Satyamurti: Will Government be pleased to state:

- (a) whether it is a fact that the Madras and Southern Mahratta Railway Employees Union, Perambur, has addressed a communication to the Industries and Labour Department in connection with the trade dispute arising out of the discharge from Railway service of Mr. G. Krishnamurthy for continuing to be the General Secretary of a Registered Trade Union; and
- (b) if so, what action they have taken?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) The Government of India have replied that they are unable to interfere.

Mr. S. Satyamurti: Have they come to their conclusions on the mere technicality of it, or on the merits of the question?

The Honourable Sir Muhammad Zafrullah Khan: It is a matter which is entirely within the competence of the Agent of the Madras and Southern Mahratta Railway, and, that railway being a Company-managed Railway, Government really have no power to interfere with his decision in this matter.

Mr. S. Satyamurti: May I take it that there is no power of appeal for these discharged employees, on account of their activities in connection with the trade unions, to the Railway Board?

The Honourable Sir Muhammad Zafrullah Khan: I do not believe there is a right of appeal to the Railway Board; but it is a technical matter and I could not answer definitely off-hand.

Prof. N. G. Ranga: Has any appeal been sent up to the Railway Board by Mr. Krishnamurthy?

The Honourable Sir Muhammad Zafrullah Khan: I do not know; I could not say without notice.

BAN ON EMPLOYEES TO BE THE GENERAL SECRETARY OF THE MADRAS AND SOUTHERN MAHRATTA RAILWAY EMPLOYEES UNION.

974. *Mr. S. Satyamurti: Will Government be pleased to state:

- (a) whether they are aware that the Madras and Southern Mahratta Railway Agent has issued an order that no Railway employee would be permitted to be the General Secretary of the Madras and Southern Mahratta Railway Employees Union; and
- (b) if so, whether such an action is in conformity with the Railway Board's policy?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) No. But this is a matter in which Company-managed Railways are not bound to follow the policy laid down by the Railway Board for State-managed Railways.

Mr. S. Satyamurti: Is it the answer that a circular has been issued that no railway employee will be permitted to be the General Secretary of this Union?

The Honourable Sir Muhammad Zafrullah Khan: The answer to (a) was, yes.

Mr. S. Satyamurti: May I know if, apart from commanding them to obey orders, the Railway Board will be good enough to consider asking this company to bring their policy in this matter, in conformity with the Railway Board's policy and encourage the formation of good trade unions, which are as much in the interests of the employer, as in the interests of the employed?

The Honourable Sir Muhammad Zafrullah Khan: The difference is not with regard to the policy of encouraging good trade unions but with regard to the past experience which the Agent has had with regard to the activities of certain people; and he thinks that, unless he framed such a rule, trouble would continue to arise.

Mr. S. Satyamurti: Are Government satisfied that, among the large class of railway employees, there can be none who may be permitted to be the General Secretary without such consequences as the Agent apprehends?

The Honourable Sir Muhammad Zafrullah Khan: I have no doubt that if a minute inquiry were held and everybody's record was searched many people would be found who are fit to become the General Secretary of the Union; but I am afraid in such a matter the inquiry could not be undertaken.

PROTECTION OF A WORKER AGAINST VICTIMISATION FOR BEING A MEMBER OR OFFICE-BEARER OF A TRADE UNION.

975. *Mr. S. Satyamurti: Will Government be pleased to state:

- (a) whether they are aware that the Indian Trade Unions Act does not protect a worker against victimisation by his employer for being a member or an office-bearer of a Trade Union; and
- (b) if so, whether they are prepared to amend suitably the legislation so as to make it illegal on the part of the employer to discharge a member or an office-bearer of a Registered Trade Union?

The Honourable Sir Frank Noyce: (a) and (b). No provision of the kind mentioned in part (a) of the question exists in the Indian Trade Unions Act. Government are not prepared to take action which would prevent an employer from discharging an unsatisfactory worker.

Mr. S. Satyamurti: With regard to the answer to clause (b), may I know the reasons why Government are not prepared to suitably amend legislation, so as to protect members or office-bearers of Registered Trade Unions being discharged on the simple and sole ground,—apart from discharging an unsatisfactory worker which an employer is entitled to do,—of being a member or office-bearer of a Registered Trade Union?

The Honourable Sir Frank Noyce: Because they do not consider the suggestion practicable.

ACCEPTANCE OF RULES FOR THE RECOGNITION OF ASSOCIATIONS OF INDUSTRIAL EMPLOYEES BY RAILWAYS.

976. *Mr. S. Satyamurti: Will Government be pleased to state what Railways have accepted the Industries Department *Communiqué*, dated 29th March, 1934, regarding rules for the recognition of associations of industrial employees (including railway employees) of the Government of India?

The Honourable Sir Muhammad Zafrullah Khan: Under the orders issued by the Railway Board, the Rules referred to have been made applicable on the State-managed Railways to all associations of railway servants employed by Government other than those of gazetted officers. Copies of these orders were forwarded to the Company-managed Railways for information, as this is a matter in which they have complete freedom.

Mr. S. Satyamurti: Have they heard from any companies, and, if so, have any Company-managed Railways accepted those rules?

The Honourable Sir Muhammad Zafrullah Khan: I should require notice of that question.

Mr. S. Satyamurti: Will Government make inquiries and find out how far, if any, those railways have accepted these rules?

The Honourable Sir Muhammad Zafrullah Khan: If the Honourable Member would put down a question to that effect, I shall be very glad to get the information.

REGISTERED RAILWAY TRADE UNIONS NOT GRANTED RECOGNITION.

977. *Mr. S. Satyamurti: Will Government be pleased to state the names of Registered Railway Trade Unions which have not been granted recognition after the issue of the Industries Department *Communiqué* on each of the class I State-owned Railways, with reasons therefor?

The Honourable Sir Muhammad Zafrullah Khan: Government have no information other than that contained in the statement laid on the table of the House in connection with the reply given to starred question No. 231 asked by Mr. Lalchand Navalrai on the 10th February, 1936. I may add, that recognition of railway unions has been left to the discretion of Agents of State-managed Railways but Government are prepared to consider appeals against non-recognition by Railway Administrations in accordance with the undertaking given by them in the information laid on the table of the House on the 21st January, 1935, in reply to starred question No. 480 asked by Lt.-Col. Sir Henry Gidney on the 14th March, 1934.

Mr. S. Satyamurti: Are there any such appeals pending before Government now?

The Honourable Sir Muhammad Zafrullah Khan: I should require notice of that question.

Mr. S. Satyamurti: May I know what are the criteria by which Government decide these appeals, as against the decision of Agents of State-managed Railways, refusing to recognise trade unions?

The Honourable Sir Muhammad Zafrullah Khan: It is the common-sense criterion of seeing whether the Agent is able to adduce reasonable grounds for non-recognition.

Mr. S. Satyamurti: Are there any grounds which satisfy Government that a Registered Railway Trade Union should not be recognised?

The Honourable Sir Muhammad Zafrullah Khan: That is a hypothetical question whether in a particular case there could or could not be sufficient grounds for refusal.

Mr. S. Satyamurti: What are the main considerations which Government generally apply to this question?

The Honourable Sir Muhammad Zafrullah Khan: The main considerations are that the constitution of the Union should be such that it would contribute towards the welfare of the people for whose welfare it has been formed.

RECOGNITION ON UNRECOGNISED RAILWAY UNIONS.

978. ***Mr. S. Satyamurti:** Will Government be pleased to state whether the Railways are prepared to inform unrecognised Unions the conditions under which they would be granted recognition? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: I would refer the Honourable Member to the Rules for the recognition of Associations of Industrial Employees (including railway employees) of the Government of India, a copy of which is in the Library of the House. As the Rules have already been published in the Government of India, Department of Industries and Labour, Press Communiqué, dated the 29th March, 1934, Government do not consider it necessary that State-managed Railway Administrations should address individual unrecognised unions regarding recognition under these Rules. Apart from the general conditions contained in these Rules which must be observed by unions registered under Trade Unions Act, 1926, seeking recognition, there are other factors which have to be taken into consideration by the Railway Administrations before recognition can be granted. Agents of Railways have for this reason been allowed discretion in the matter and Government must reserve the right to refuse recognition to individual unions when, in their opinion, the constitution or the working of a particular union is unlikely to be conducive to the welfare of a Railway Administration or its employees.

Mr. Lalchand Navalrai: What are the other factors referred to besides the general conditions contained in the rules?

The Honourable Sir Muhammad Zafrullah Khan: I have mentioned them in the reply I have just read out.

Mr. S. Satyamurti: Is not the constitution of these unions confined to railway employees? Are there any outsiders?

The Honourable Sir Muhammad Zafrullah Khan: If a union applies for recognition, it will have to be looked into whether the constitution of that union is likely to be conducive to the welfare of the Railway Administration or its employees. I imagine ordinarily unions of railway employees only will ask for recognition.

Mr. S. Satyamurti: If that is so, what are the criteria by which, outside these rules, Railway Agents can refuse to recognise unions?

The Honourable Sir Muhammad Zafrullah Khan: Supposing the proposed officers of a union—I am giving a purely hypothetical case because after all the question is a hypothetical one—are all people whose past record shows that they generally get up these unions only to serve their own personal ends and not to benefit the members of the union, that will be a very good reason for refusing recognition.

Mr. S. Satyamurti: Will Government consider laying down some rules, to help these unrecognised unions, which do not conform to the general rules, so that they may be encouraged to help these unions when they are assured that these unions satisfy their management about them?

The Honourable Sir Muhammad Zafrullah Khan: The general rules have already been laid down in the communiqué.

Mr. Muhammad Azhar Ali: Will Government consider the advisability of framing model rules for these unions on the same lines as for co-operative societies?

The Honourable Sir Muhammad Zafrullah Khan: I do not think the unions will like that at all.

CULTIVATION OF TEA BY SMALL GROWERS IN THE NILGIRIS.

979. ***Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) whether they have received representations from the small growers of tea in the Nilgiris, regarding new cultivation;
- (b) whether new cultivation is permitted largely to Europeans;
- (c) whether hundreds of acres of small holdings have been left out and their petitions have been shelved by the local committee;
- (d) whether the average allowance of tea quota given to bigger estates is about 100 pounds an acre, but in the case of small growers it is only 250 pounds on an average; and
- (e) whether they are prepared to take steps to amend the Tea Control Act of 1938 so as to permit extension and new cultivation of tea to small growers only?

The Honourable Sir Muhammad Zafrullah Khan: (a) Government have received from a Mr. M. K. Bellie Gowder copies of certain resolutions said to have been passed at two meetings of the small growers of tea on the Nilgiris.

(b) New cultivation has been permitted in the case of Indian and European owned tea estates as follows:

Indian owned—2412·60 acres.

European owned—478·86 acres.

(c) Enquiries from the Licensing Committee show that the committee have no knowledge of the small holdings that are alleged to have been left out.

(d) The allotment of export quotas to tea estates is governed by Statutory Rules framed under the Indian Tea Control Act, 1933, and all estates are treated alike. The amount of export quota admissible to an estate depends upon its best crop basis during the basic years 1929 to 1932, the area planted since 1928 and the title of the estate to a special hardship allowance.

(e) No.

Prof. N. G. Ranga: Are Government aware of the fact that, since coffee growing has become unprofitable, the Department of Agriculture in Madras are themselves interested in advising the small growers to raise tea on their small holdings and that tea is being grown on small holdings?

The Honourable Sir Muhammad Zafrullah Khan: It is possible that that is so; I have no specific knowledge.

Prof. N. G. Ranga: In that case, why is it that Government have made this invidious distinction of allowing 250 pounds on an average for small growers, whereas only 100 pounds are allowed for the bigger estates?

The Honourable Sir Muhammad Zafrullah Khan: Government have laid down no such restriction. It is done by the Tea Licensing Committee.

Prof. N. G. Ranga: Will Government consider the advisability of taking steps to amend the Tea Control Act of 1933 in order to remove this distinction?

The Honourable Sir Muhammad Zafrullah Khan: I am not accepting the distinction to begin with, and Government certainly do not contemplate any such action.

ARTICLE ENTITLED "THE ORDERS-IN-COUNCIL" IN THE *HINDU*.

980. ***Mr. S. Satyamurti:** Will Government be pleased to state:

(a) whether their attention has been drawn to a leading article entitled "The Orders-in-Council" in the *Hindu*, dated the 22nd January, 1936;

(b) the reasons why they have provided an autocratic government for Bihar and Orissa;

- (c) the principles, if any, on which liabilities and assets between Madras and Orissa have been assessed; and
- (d) whether it is proposed that Madras should hand over any part of her Famine Relief Fund to Orissa?

The Honourable Sir Nripendra Sircar: (a) Yes, the article in question has been perused.

(b) By "Bihar and Orissa" the Honourable Member presumably means "Sind and Orissa". The interim constitution for these Provinces will last only until the introduction of Provincial Autonomy. During this transitional period it will be essential for the two Governments to concentrate on administrative reorganisations consequent on their separation from their parent Provinces and to prepare the new Provinces for the advent of Provincial Autonomy. The interval before Provincial Autonomy is likely to prove none too long for the solution of the administrative problems even if the whole attention of the new Governments is diverted to this end. The answer to this part of the Honourable Member's question is therefore to be sought in the object for which these transitional Governments are being set up.

(c) The balance sheet principle reduced to its simplest terms, with the shares of the parties determined by the revenue ratio.

(d) No, as Orissa will assume a smaller share of the pecuniary liability than a strict application of the above principle would entail.

Mr. S. Satyamurti: May I know what is the period, which Government contemplate for these transitional arrangements continuing?

The Honourable Sir Nripendra Sircar: I think my friend has put me a number of questions as to when Provincial Autonomy comes and I have given my answers to those questions. The transitional period obviously depends on the exact date on which Provincial Autonomy is introduced. So I cannot carry the matter any further.

EMPLOYMENT OF "DUFFERIN" CADETS IN INDIAN COASTAL SHIPPING.

1981. ***Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) whether their attention has been drawn to a leading article entitled "Dufferin" cadets, in the *Madras Mail*, dated the 22nd January, 1936;
- (b) whether they have considered the note submitted by the Federation of Indian Chambers of Commerce, regarding the employment of "Dufferin" cadets in Indian coastal shipping;
- (c) what the latest position is; and
- (d) what steps they are going to take to see that justice is done to "Dufferin" cadets?

The Honourable Sir Muhammad Zafrullah Khan: (a) Government have seen the article referred to.

(b) Yes.

(c) and (d). I would refer the Honourable Member to the reply recently given by me to Pandit Govind Ballabh Pant's starred question No. 744.

Mr. S. Satyamurti: Will Government realise that, from next year, the position will get much worse, and will they take steps against that contingency, as early as possible, *i.e.*, with regard to the employment of these cadets?

The Honourable Sir Muhammad Zaftrullah Khan: I have already informed Honourable Members that I am pursuing this matter in view of the situation that is likely to arise next year.

GRIEVANCES OF INDIANS IN ZANZIBAR.

982. ***Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) whether they are satisfied with the case put before them by the Zanzibar Indian Deputation, on behalf of the Indians in Zanzibar, and with the demand for immediate redress of their grievances;
- (b) whether they have taken steps to ask the Zanzibar Government to state their case in respect of their anti-Indian legislation of 1984, which affects the Indian settlers adversely, and particularly their clove trade and acquisition of land; and
- (c) what the latest position in the matter is?

Sir Girja Shankar Bajpai: I would refer the Honourable Member to my answer to his question No. 961 on the third of this month.

Mr. S. Satyamurti: With reference to the answer to part (b) of the question, may I know if Government have definitely asked the Zanzibar Government to state their case?

Sir Girja Shankar Bajpai: We have not corresponded with the Government of Zanzibar. We can only correspond with the Colonial Office.

Mr. S. Satyamurti: But, in corresponding with the Colonial Office, have Government ever suggested to them to get the Zanzibar Government to state their case, in respect of this anti-Indian legislation?

Sir Girja Shankar Bajpai: The Government of Zanzibar have already stated their case twice as regards clove legislation. They have also generally stated their case as regards the debt legislation, but I do not think that the Zanzibar Government have addressed the Secretary of State with regard to the representation which we made to the Colonial Office on the debt legislation only a fortnight ago.

Mr. S. Satyamurti: What is the answer to part (c) of the question, with regard to the latest position?

Sir Girja Shankar Bajpai: The latest position this morning is nothing different to what it was two days ago.

PROTECTION TO HANDLOOM WEAVERS.

983. ***Prof. N. G. Ranga:** Will Government be pleased to state:

- (a) if they are aware of the fact that the handloom weavers are obliged to face the competition of the Indian textile mills also;

- (b) whether they are aware that these weavers are obliged to depend upon Indian mills also for their supplies of yarn;
- (c) whether they are aware that the yarn supplied by Indian mills is weaker in strength, short-reeled, not in proper hank form and is sold at much higher prices than that available for the weaving mills;
- (d) whether they are aware that the handloom weavers are benefited to a much less extent, and are even made to suffer by the present protection given to the textile mills; and
- (e) if so, whether they are prepared to consider the advisability of some suitable action, such as the reservation of certain kinds of production for the handlooms, so as to protect the one crore handloom weavers as against the competition of State protected mills employing less than a million workers?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes, Sir.

(b) No.

(c) It is true that generally speaking the handloom weaver has to pay more for his yarn than the weaving section of a mill which spins its own yarn. Government have no information on the other points mentioned.

(d) and (e). The Honourable Member is referred to the replies given by me to the questions on the subject on the 12th, 18th and 27th February, last.

TRAINING OF INDIANS IN MECHANICAL ENGINEERING BY THE CALCUTTA PORT TRUST.

984. *Mr. Basanta Kumar Das: (a) Will Government be pleased to state whether the Calcutta Port Trust authorities recruit apprentices in their Mechanical Engineering Department and afford sufficient facilities for their training in ship repair work?

(b) Is it not a fact that the Trustees of the Port of Bombay recruit apprentices in their Mechanical Engineering Section and make suitable arrangement for their elaborate training both in India and abroad?

(c) Are Government aware of the fact that:

- (i) now-a-days there is no dearth, among the Indians, of graduates in mechanical engineering with a reasonable degree of practical experience in workshops; and
- (ii) such engineers are available for appointment in subordinate positions?

(d) If the answers to part (c)(i) and (ii) be in the affirmative, why cannot the Calcutta Port Trust authorities formulate a scheme for the appointment of Indian graduates in mechanical engineering supplemented by the system of recruitment of apprentices in order to ensure the Indianisation of their Mechanical Engineering Department?

The Honourable Sir Muhammad Zafrullah Khan: The information asked for is being obtained and will be laid on the table in due course.

REMARKS ABOUT INDIA IN THE BOOK "MEIN KAMPF" BY HITLER.

985. *Pandit Nilakantha Das: (a) Has the attention of Government been drawn to the communication published in the Press regarding Hitler's fling at India in his recent book "Mein Kampf", made to United Press by Mr. Subhas Chandra Bose? (Vide for instance *Amrita Bazar Patrika* of Calcutta, dated 15th January, 1936, Dak Edition, page 9, under heading "Hitler's Fling at India")?

(b) Have Government marked in the same communication the effects of protests of China against certain remarks regarding the Chinese in the same book, and also of Egyptian protests against the film "Bengal Lancer"? If so, what action have Government taken in the matter?

The Honourable Sir Henry Craik: (a) and (b). I have seen the article in question but in the absence of any details from the Honourable Member as to what passages of the book are referred to, Government do not propose to take any action on the statement alleged to have been made by Mr. Subhas Bose to the United Press.

OFFICERS AND SERVANTS OF THE TRUSTEES OF THE INDIAN MUSEUM, CALCUTTA.

986. *Dr. P. N. Banerjee: Will Government be pleased to refer to starred question No. 475 and the answer given to it in the Legislative Assembly on the 18th September, 1935 and state:

- (a) whether they paid a sum of one hundred and fifty thousand rupees to the Council of the Asiatic Society of Bengal;
- (b) for what purpose the abovenamed sum was given;
- (c) (i) whether they spent so much money for the sake of a private institution; and (ii) under what rule they can spend so much money from the public exchequer for the purposes of a private institution;
- (d) whether in section 8 of the Act XXII of 1876, it was laid down that "they (the Trustees) shall appoint, and may remove or suspend, all officers and servants, salaried or otherwise, employed in the care or management of the trust property";
- (e) whether in the existing Act (X of 1919) under section 9, it is laid down that "the Trustees shall appoint such officers and servants as may be necessary or proper for the care or management of the trust property";
- (f) why the powers of the Trustees of the Indian Museum to remove or suspend officers and servants of the Indian Museum conferred on them by a previous Act have been taken back and restricted;
- (g) whether under the existing Act, the Trustees are empowered to remove any officer or servant of the Indian Museum;
- (h) whether the officers and servants of the Trustees of the Indian Museum are entitled to salaries, allowances, pensions and leave of absence from duty in accordance with the Civil Service Regulations, under section 18 of the existing Act (X of 1910);

- (i) whether the Trustees of the Indian Museum are empowered to pay the salaries, allowances and pensions of the officers and servants of the Indian Museum; if so, under what section of the existing Act;
- (j) whether section 9 of the existing Act (X of 1910) only empowers the Trustees of the Indian Museum to *assign* pay to the officers and servants of the Indian Museum;
- (k) what is meant by the word "to assign"; what is the difference between payment and assignment;
- (l) who provides the pay from which the assignment is made by the Trustees;
- (m) who pays the pension of the officers and servants of the Indian Museum;
- (n) the difference between Government service and public service; and the functions of the Public Services Commission; whether it deals with the case of any body who is not a Government servant; and
- (o) the distinctions between a public servant and a Government servant?

Sir Girja Shankar Bajpai: (a) Yes.

(b) I would refer the Honourable Member to the latter part of the preamble to Act XXII of 1876.

(c), (i) and (ii). It is a grant-in-aid institution which exists for the benefit of the public. There are no rules that prohibit the grant of financial assistance to such an institution.

(d) and (e). Yes.

(f) and (g). The Honourable Member is referred to section 16 of the General Clauses Act, 1897. The Trustees still have the power to remove any officer or servant of the Indian Museum.

(h) The officers and servants are, as regards their salaries, allowances and pensions and their leave of absence from duty, subject to the rules which under the Civil Service Regulations for the time being in force would be applicable if their service was service under Government.

(i) Yes. There are no specific provisions on the point in the Act.

(j) and (k). The words "assign pay" in the section in question mean no more than "fix and pay salaries".

(l) Government make an annual grant-in-aid to the Trustees of the Indian Museum from which the cost of establishment employed by them is met.

(m) The pension of officers and servants of the Trustees is a proper charge on the Trustees' fund, but pending the creation of a pension fund, the pensionary charges of their establishment have been paid from the general revenues.

(n) and (o). A reference to section 21 of the Indian Penal Code will show the Honourable Member that not all public servants are Government servants. The latter are, broadly speaking, persons engaged and paid by Government for work done for Government. The functions of the Public Service Commission are set out in the Public Service Commission (Functions) Rules, 1926, published with the Home Department notification No. 178/14/24-Ests. dated the 14th October, 1926.

REFERENCE TO MR. GANDHI'S MOTIVES IN CONNECTION WITH THE HARIJAN CAMPAIGN IN "INDIA IN 1933-34".

987. ***Mr. Suryya Kumar Som:** (a) Has the attention of Government been drawn to the observation contained in the Government publication "India in 1933-34" that "The Harijan Campaign had been started by Mr. Gandhi from motives other than a purely altruistic desire to remove social disabilities"?

(b) What are the materials on which this observation was made?

(c) Is not the book "India in 1933-34" written by a Government servant, and is it not published under the authority of Government?

(d) Are not Government aware that some allegation was made against Pandit Jawahar Lal Nehru in the Administration Report of the Government of Bengal, which has since been withdrawn by the said Government, after a strong objection was taken by the Pandit and the Press here and in England?

(e) Are Government prepared to take early steps to expunge the paragraph containing the observation from the book and make an unconditional apology for publishing such an observation against the greatest man of the present age?

(f) Are Government prepared to punish the officer who wrote the book "India in 1933-34"? If not, why not?

(g) Are Government prepared to take steps to stop the practice of their officers abusing their position to vilify leading men of India? If not, why not?

The Honourable Sir Henry Oralk: (a) and (b). The Honourable Member is presumably referring to a sentence which occurred on page 4 of the publication "India in 1933-34", which was as follows:

"In the circumstances it is natural that certain observers saw in the Harijan campaign motives other than a purely altruistic desire to remove social disabilities."

This sentence has thus been misquoted. The writer did not actually make a statement, such as is alleged in part (a) of the question, but referred to the views which certain persons had taken of the Harijan campaign. The sentence was based on contemporary reports and press articles in which this criticism of the Harijan campaign was made. The Press also at that time contained reports to the effect that public persons and associations in India had made this criticism of the movement. I am prepared to lay extracts from the Press on the table.

(c) Yes.

(d) Yes.

(e) and (f). From the facts which I have stated in reply to (a) and (b) it will be seen that there was adequate material on which the sentence referred to was based. Government are not prepared to expunge the sentence nor to take any action against the officer who wrote the book.

(g) No such practice exists.

RECRUITMENT OF MUSLIMS IN PORT TRUSTS.

988. ***Dr. Ziauddin Ahmad:** (a) Is it a fact that Government recently wrote to the various Port Trusts in India, suggesting recruitment of Muslims to the services under their Trust so as to redress communal inequalities on the lines adopted by Government?

(b) If so, will Government please place on the table a summary of the replies received by them from various Port Trusts?

(c) Has the attention of Government been drawn to the reports published in the papers regarding the resolutions of the Calcutta Port Trust and the speech of the Chairman, rejecting suggestions of the Government of India, and casting reflection on the entire Muslim community?

(d) Are Government prepared to take any action against such reflection on the entire Muslim community which has cast great resentment all over the country?

(e) Are Government prepared to suggest to the Port Commissioners of Calcutta to set up an independent committee for recruitment to its service through open advertisements?

(f) Will Government please place on the table a list showing the names and qualifications of persons appointed to the superior and upper subordinate posts in the Calcutta Port Trust?

(g) Are Government aware that considerable discontent exists amongst the minority communities against the method of recruitment followed by the Calcutta Port Trust?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) A statement will be laid on the table when all replies have been received.

(c) Government have seen the press reports, but not the resolution of the Port Commissioners or the speech of the Chairman. I would, however, say that information has been received that the Commissioners will do all that they can to see that suitable Muslim candidates are advised of future vacancies and given every encouragement to apply.

(d) On the information at present available, Government do not consider that action on the lines suggested is required.

(e) No. The power to fill appointments under the Calcutta Port Commissioners vests by law in the Chairman or Deputy Chairman, the Commissioners and the Local Government.

(f) The reply to this would entail the preparation of an extremely bulky statement, the labour involved in which would be, in the opinion of Government, entirely incommensurate with its value.

(g) No.

Mr. Lalchand Navalrai: May I know if the Commissioners have said that they will consider the question of taking up Muslims on account of merit or only because they are Muslims?

The Honourable Sir Muhammad Zafrullah Khan: I have said that the Commissioners have said that they will do all they can to see that suitable Muslim candidates are advised of future vacancies and given every encouragement to apply.

Dr. Ziauddin Ahmad: Did the Honourable gentleman read the report of this Port Trust in which the speech of the Chairman is also quoted, and the note of dissent by the only Muslim Member specially in the case of Calcutta?

The Honourable Sir Muhammad Zafrullah Khan: I have said that Government have seen the press reports, but not the resolution of the Port Commissioners or the speech of the Chairman.

Dr. Ziauddin Ahmad: The resolution is given in their proceedings: have Government seen their annual report?

The Honourable Sir Muhammad Zafrullah Khan: If the Honourable Member will specify the particular report, I can give a reply. I do not remember whether I have seen the particular report.

CHAIRMAN OF THE CALCUTTA PORT TRUST.

989. ***Dr. Ziauddin Ahmad:** Will Government please state the name, qualifications, salary and administrative capacity of the Chairman of the Calcutta Port Trust?

The Honourable Sir Muhammad Zafrullah Khan: The Chairman is Mr. T. H. Elderton, whose salary is Rs. 4,000 per mensem. The fact that he has served the Calcutta Port Trust in high positions for 28 years is sufficient indication of his qualifications and administrative capacity.

Seth Haji Abdoola Haroon: Is there any special qualification for the Chairman of the Port Trust?

Mr. S. Satyamurti: He is English, and that is good enough!

The Honourable Sir Muhammad Zafrullah Khan: By special qualification, does the Honourable Member mean any technical qualification?

Seth Haji Abdoola Haroon: Yes.

The Honourable Sir Muhammad Zafrullah Khan: No.

STEPS TO HAVE THE MAXIMUM ADVANTAGE OF THE REVISED SCALES OF PAY.

990. ***Mr. Muhammad Azhar Ali:** (a) Is it a fact that the new revised scales of pay fixed for new entrants to various services under the Central Government are lower than the existing scales of pay?

(b) If so, what steps are Government taking to have the maximum advantage of the revised scales of pay?

(c) Are Government considering any scheme of retiring Government servants, as soon as they complete 25 years' service?

(d) If so, when are they likely to enforce the scheme?

Mr. K. Sanjiva Row: (a) Yes, almost invariably.

(b) The revised scales were introduced with effect from the 16th of July, 1931, and were made applicable to all persons newly appointed to Government service on or after that date. Further, a person in service before the 16th of July, 1931, appointed to a post which has been created on or after that date and which is not a mere addition to a previously existing cadre or establishment, draws pay at rates which are fixed in relation to the revised rates for old posts. But as pay forms part of service conditions, a person appointed before that date on an old scale of pay is entitled to the full benefit of the old pay scales applicable to the cadre or establishment to which he belongs. In these circumstances, the full advantage from revising the scales of pay will not be secured until all posts are vacated in the normal course of time by persons entitled to the old pay scales.

(c) No.

(d) Does not arise.

Mr. S. Satyamurti: May I know the reasons why Government are not considering any scheme of retiring Government servants, as soon as they complete 25 years of service in view of the likely gain to the State-Exchequer, by retiring them and appointing fresh men on the lower scales of pay?

Mr. K. Sanjiva Row: Because we cannot, in the case of existing Government servants, except in the case of a few Government servants who are under the control of the Local Governments and of the Governor General, revise the service conditions to the disadvantage of the persons concerned who have got a Statutory right in most cases to continue on the existing scales of pay; and we cannot retire them immediately after completing 25 years' service, because, under their conditions of service, they can continue, in some cases till they have put in 35 years service and in some other cases till they attain the age of 55 years.

APPLICATION OF SANCTIONS AGAINST ITALY.

991. ***Mr. T. S. Avinashilingam Chettiar:** Will Government state:

- (a) the effect of applying sanctions against Italy;
- (b) what are the articles of imports and exports prohibited;
- (c) how the foreign trade of India has been affected; and
- (d) whether other markets have been found for any of the articles which Italy has now ceased to take from India?

Sir Aubrey Metcalfe: (a), (c) and (d). Honourable Member's attention is invited to the answer given by me to starred question No. 910 by Pandit Govind Ballabh Pant.

(b) The Honourable Member's attention is invited to the answer given by me to part (a) of starred question No. 748 asked by Mr. S. Satyamurti.

Mr. S. Satyamurti: Is there any machinery set up by this Government to follow the course of trade as raised in this question, or will they set up any machinery, so that Government may be put in possession of relevant facts, as early as they arise or immediately after?

Sir Aubrey Metcalfe: I am not aware of any particular machinery set up for this purpose: as explained the other day, the whole question is receiving careful consideration.

Mr. S. Satyamurti: Of whom?

Sir Aubrey Metcalfe: Presumably of the Commerce Department.

Mr. S. Satyamurti: May I know, actually, of whom?

Sir Aubrey Metcalfe. Does the Honourable Member mean the exact person or persons?

Mr. S. Satyamurti: No. I am simply asking if any Department of the Government of India is pursuing this question, how far, that is to say, to what extent the foreign trade of India with Italy has been affected by the enforcement of these sanctions?

Sir Aubrey Metcalfe: The matter is certainly being examined and carefully watched.

Mr. S. Satyamurti: By whom?

Sir Aubrey Metcalfe: By the Commerce Department.

DIFFERENTIAL PUNISHMENTS TO EUROPEAN AND INDIAN SUBORDINATE TRANSPORTATION STAFF OF THE RAWALPINDI DIVISION, NORTH WESTERN RAILWAY.

992. ***Sardar Sant Singh:** (a) Will Government be pleased to state the total number of men:

- (i) dismissed,
- (ii) discharged,
- (iii) reverted,
- (iv) reduced in grade, and
- (v) reduced in pay,

among the subordinate Transportation Staff of Rawalpindi Division, North Western Railway, from January 1934 to December 1935?

(b) Is it a fact that the victims in categories (a) (i), (ii) and (iii) were all Indians, and 95 per cent. of categories (iv) and (v) were also Indians?

(c) Is it a fact that the Indian Transportation staff of Rawalpindi Division has sustained the greatest loss as compared to the staff of other Divisions of the North Western Railway?

(d) Is it a fact that for the same offence with the same train, an Indian guard was reduced for six months, whereas a European guard was merely warned? Will Government please state the reason for this discrimination?

(e) Is it a fact that in connection with a side collision between two trains, an Indian Assistant Station Master was reverted as a guard, but the European driver who actually caused the accident was simply warned?

(f) Is it a fact that there have been several other cases of differential treatment?

(g) Are Government aware that this treatment has created serious discontent among the Indian Transportation staff of Rawalpindi Division?

(h) Is it a fact that the previous Divisional Superintendent who subsequently became Secretary of the Railway Board turned down many orders of this Divisional Transportation Officer?

(i) Is it a fact that the present Divisional Superintendent has not accepted a single appeal against the orders of this officer?

(j) Is it a fact that representations have also been made to the Agent through the Union, against the said officer?

(k) If the answers to the preceding parts be in the affirmative, are Government prepared to appoint a committee of some officers to enquire into his conduct as an officer, and to redress the grievances of those who have been unduly punished?

The Honourable Sir Muhammad Zafrullah Khan: (a) (i) Dismissed Nil.

(ii) Discharged 5.

(iii) Reverted 3.

(iv) Reduced in grade 2.

(v) Reduced in pay 55.

'Revision' is not necessarily a punishment.

(b) As regards (a) (i), (ii) and (iii) the reply is in the affirmative, and as regards (a) (iv) and (v) the percentage given by the Honourable Member is approximately correct. It may, however, be pointed out that Indians form about 95 per cent. of the total subordinate transportation staff employed on the Rawalpindi division.

(c) Government have no information.

(d) I presume the Honourable Member is referring to a case in which a train ran through a station irregularly. The Indian was the guard in charge of the train and he attempted to conceal the offence. The European was the second guard and was not in charge of the train and so received a lesser punishment.

(e) I presume the Honourable Member is referring to a collision in the Rawalpindi Yard on the 11th April, 1934, in which it was held that the driver was in no way to blame. The assistant station master who had a very unsatisfactory record was correctly punished.

(f) and (g). The cases referred to in (d) and (e) do not indicate differential treatment, nor has any other case of alleged differential treatment been brought to notice. The administration is not aware of serious discontent among the Indian Transportation staff of the Rawalpindi division.

(h), (i) and (j). No.

(k) Government do not consider any enquiry is necessary.

Sardar Sant Singh: May I know, Sir, what was the personnel who made the inquiry into this matter?

The Honourable Sir Muhammad Zafrullah Khan: I cannot say, Sir; but if the Honourable Member is anxious that this information should be obtained, I have no doubt he will put down a question to that effect.

APPOINTMENT OF MR. H. G. FRANKS AS THE NEWS EDITOR OF THE DELHI BROADCASTING STATION.

993. *Dr. T. S. S. Rajan: (a) Is it a fact that one Mr. Franks is appointed to the Chief Broadcasting Station for broadcasting information from the headquarters of Government to the rest of India?

(b) If so, will Government be pleased to state the special qualifications of this gentleman for the post?

(c) What are the terms of the appointment with regard to salary, leave, pension, gratuity, overseas allowance, exchange compensation, etc.?

(d) Has he served in the staff of a number of papers in Calcutta in the past? If so, what is the nature of the work he did, in what capacity and in how many papers and for how long?

(e) Has he been connected with Reuter's news service in India and if so, for how long?

(f) Was he connected in some capacity or other with some communal newspapers or magazines in Calcutta and if so, for how long?

(g) Is he the author of a book entitled "Queer India"?

(h) Are Government aware of the criticism of the *London Times* in its literary supplement regarding the book written by this gentleman?

(i) Will Government be pleased to state the reasons why the Public Service Commission has not been directed to call for suitable candidates from all over India and choose the best from amongst them?

(j) Are Government prepared to reconsider their choice?

The Honourable Sir Frank Noyce: (a) to (c) and (g) to (j). I would invite the attention of the Honourable Member to the replies given by me on the 27th February, 1936, to questions Nos. 870 and 909 by Mr. Suryya Kumar Som and Pandit Govind Ballabh Pant respectively and the supplementaries. I may add with regard to part (a) that Mr. Franks is the News Editor and is responsible mainly for the compilation of the News Bulletin from press agency telegrams. He has nothing to do with the actual broadcasting of news or other information from the Delhi Station.

(d) and (f). I understand that Mr. Franks was the Editor of the *Star of India* in Calcutta for two or three years.

(e) Yes, for one year.

Dr. Ziauddin Ahmad: May I know, Sir, if Mr. Franks is competent enough to do the work entrusted to him? That is the only point with which we are concerned.

The Honourable Sir Frank Noyce: I answered that question the other day.

Mr. President (The Honourable Sir Abdur Rahim): There were perhaps a very large number of questions put on this subject the other day.

Dr. T. S. S. Rajan: May I know the answer to part (j) of this question, Sir?

The Honourable Sir Frank Noyce: I have also answered that.

Seth Govind Das: Sir, I want to put only question No. 995, because 994 has already been answered.

†994 *.

MISS MAYO'S BOOK ENTITLED "THE FACE OF MOTHER INDIA".

995. *Seth Govind Das: Will Government be pleased to state:

- (a) whether they are aware that the publication entitled "The Face of Mother India" had reached India before the book was proscribed by Government;
- (b) how many copies came into India before the imposition of the ban;
- (c) whether they seized any copies of this book from private possession in this country after the book was proscribed;
- (d) whether they approached His Majesty's Government to have this book proscribed throughout the British Empire, or within such dominions of His Majesty's Empire wherever possible;
- (e) if not, whether they will state their difficulties for not having done so and whether they are prepared to do so immediately;
- (f) whether they proscribed the book after obtaining consent from the Secretary of State for the purpose; and
- (g) whether they are prepared to lay on the table a full text of the correspondence that ensued between themselves and the Secretary of State in the matter?

The Honourable Sir Henry Orsk: (a) Yes.

(b) and (c). I have no information as to the exact number but I think very few copies came to India.

(d) and (e). The Honourable Member is referred to my reply to Mr. Satyamurti's question No. 966.

(f) No, the Government of India took the action on their own initiative. I, however, invite the attention of the Honourable Member to the reply given in the House of Commons on the 10th of February to a question about this book. The Under Secretary of State stated as follows:

"The book was proscribed on the grounds that it would give deep offence to Hindus and outrage their religious feelings and would also increase communal tension. My noble friend (the Secretary of State) entirely shares the view taken of the book

by authorities in India and cannot but regret that currency should be given to opinions which would have this unfortunate result."

(g) No. It is not customary to lay on the table correspondence between the Government of India and the Secretary of State.

BAN ON THE CONGRESS ORGANISATION IN THE NORTH-WEST FRONTIER PROVINCE.

996. ***Seth Govind Das**: Will Government be pleased to state:

- (a) whether the National Congress organisation in the North-West Frontier Province is under Government ban;
- (b) if so, whether they will state their reasons that justify the continuance of the ban on the Congress organisation in the North-West Frontier Province; and
- (c) whether they are prepared to remove it immediately?

The Honourable Sir Henry Craik: (a) The North-West Frontier Provincial *Jirga*, (otherwise Frontier Provincial Congress Committee) with District and local *jirgas* subordinate thereto, is an unlawful association within the meaning of the Criminal Law Amendment Act.

(b) and (c). The reasons for maintaining the ban on this organisation were fully explained by me in the debate on the adjournment motion on February 5th, 1935. In the view of the Local Government with which the Government of India agree, it is not desirable to remove the ban on this organisation. There are, however, I understand, now Congress Parliamentary Boards being formed in the districts and as these follow constitutional methods, they are of course allowed to function without let or hindrance.

Seth Govind Das: After the adjournment motion, don't Government think that the time has now come to remove the ban?

The Honourable Sir Henry Craik: I have said that the Local Government, with whom the Government of India are in agreement, consider that it is not desirable to remove the ban.

Seth Govind Das: What are those activities of the Congress on account of which the Local Government think that the ban should not be removed?

The Honourable Sir Henry Craik: I explained that in speaking on the adjournment motion on the 5th of February, 1935.

Mr. M. S. Aney: What are the activities of the Congress after February, 1935, which, according to the Local Government, justify the continuing of the ban?

The Honourable Sir Henry Craik: I have already explained that.

APPOINTMENT OF MR. MUDIE AS OFFICER ON SPECIAL DUTY IN THE RAILWAY BOARD.

997. *Seth Govind Das: Will Government be pleased to state:

- (a) whether Mr. Mudie's appointment to the Statutory Railway Board will still be requisitioned despite the rejection of the item of Rs. 35,000, the amount of his salary, by the Railway Standing Finance Committee on 31st January, 1936;
- (b) whether they desire to meet this amount from the general allotment of the Railway Board;
- (c) if not, how else they propose to meet this amount;
- (d) whether Mr. Mudie's appointment is an absolute necessity; and
- (e) whether there is none in India among Indians who could serve the purpose?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes. Mr. Mudie's salary is non-votable.

(b) Yes.

(c) Does not arise.

(d) Yes.

(e) Possibly there are, but Government do not consider that racial considerations should be taken into account in filling such an appointment.

DELAY IN THE INTRODUCTION OF REVISED SCALES OF PAY FOR THE CENTRAL AND ALL-INDIA SERVICES.

998. *Mr. M. Ananthasayanam Ayyangar: (a) Is it a fact that revised and reduced scales of salary were given effect to in the case of new entrants to provincial services by Local Governments about three years ago?

(b) Was it at that time stated by Government, that similar reduced and revised scales of pay would be introduced with respect to new entrants in All-India and Central services?

(c) Was the Secretary of State for India addressed on the subject and if so, when?

(d) What is the reason for the delay in introducing the revised scales for the Central and All-India services?

(e) Were new entrants in any of the All-India and Central services taken on the specific understanding that their scales of pay would be subject to revision and if so, what are those services?

(f) When will the revised scales of pay be given effect to?

(g) What is the probable saving for the first ten years, according to the revised scales of pay?

The Honourable Sir Henry Craik: (a) It is understood that various Local Governments have been revising the scales of pay for their services, but as it is not incumbent upon Local Governments to consult the Government of India in such matters it is not known whether they have all completed the revision or not.

(b), (c), (d) and (f). The scales of pay of future entrants into most of the services under the control of the Governor General in Council have, after very careful consideration, been revised during the last few years and in the majority of cases very appreciable reductions have been made. The revision of the scales of pay of future entrants into the Indian Civil Service and the Indian Police is a matter for the consideration and decision of the Secretary of State who, as has been explained by me in this House in reply to question No. 129 on the 6th February, 1936, decided to postpone further consideration of the matter until after the passing of the Constitution Act. This question will now be further considered.

(e) Entrants into the Indian Police since 1932 have been warned that the revision of the existing rates of pay for the service is under consideration. In the case of the Central Services, under the rule-making control of the Governor General in Council, the terms of the Finance Department Resolution No. D./4523-Ex. I/31, dated the 9th July, 1931, which will be found in the appendix of the Revised Rates of Pay Rules, specifically imply that conditions of service, including pay, would be liable to revision in the case of those appointed on or after the 16th July, 1931.

(g) The Government of India have not calculated the probable savings that will accrue for the first ten years from the revision of the pay of the services under their control, and they are unable to state what savings would accrue from hypothetical reductions in the scales of pay of the Indian Civil Service and the Indian Police.

Mr. M. Ananthasayanam Ayyangar: At what stage is the consideration of that matter now?

The Honourable Sir Henry Craik: The consideration of what?

Mr. M. Ananthasayanam Ayyangar: The Secretary of State is revising the scales of pay of the All-India Services, and I want to know at what stage the matter has reached?

The Honourable Sir Henry Craik: Does the Honourable Member mean the revision of pay of the All-India services which are under the control of the Secretary of State?

Mr. M. Ananthasayanam Ayyangar: Yes.

The Honourable Sir Henry Craik: I cannot say. We addressed our views to the Secretary of State a long time ago.

Mr. M. Ananthasayanam Ayyangar: Have the Government of India reminded the Secretary of State of his promise to consider the revisions of pay after the Constitution Act is passed?

The Honourable Sir Henry Craik: I expect they have, but I am not sure.

CONFERENCE OF THE REFORMS OFFICERS OF GOVERNMENT HELD AT DELHI.

999. ***Mr. M. Ananthasayanam Ayyangar:** (a) Was there a conference of the various reforms officers of the Government at Delhi in the month of January this year?

(b) What were the objects of the conference and what are the results achieved?

(c) Do Government propose to obtain any uniformity in the Legislative Rules of the various Provincial Legislatures?

The Honourable Sir Nripendra Sircar: (a) Yes.

(b) I would invite the Honourable Member's attention to the detailed reply given on 3rd March to parts (a) and (b) of Mr. Satyamurti's question No. 953 on the subject.

(c) Possibly some uniformity may be secured in regard to the matters dealt with in the proviso to section 84 (1) and in section 84 (3) of the Act which are decided by the Governor acting in his discretion. The main legislative rules will, however, be framed in due course by the new legislatures themselves under the authority of the first part of section 84 (1) and the securing of uniformity does not therefore rest in the hands of the Government of India.

Mr. T. S. Avinashilingam Chettiar: Will Government explain to us what he meant by Governor's Rules to which he referred in his previous answer?

The Honourable Sir Nripendra Sircar: I think I made that quite clear. May I read it again:

"Uniformity may be secured in regard to the matters dealt with in the proviso to section 84(1) and in section 84(3) of the Act which are decided by the Governor acting in his discretion. The main legislative rules, will, however, be framed in due course by the new legislatures themselves under the authority of the first part of section 84(1) and the securing of uniformity does not therefore rest in the hands of the Government of India."

Mr. T. S. Avinashilingam Chettiar: I am sorry the Honourable Member has not understood me. In his previous answer he referred to the Governor's Rules, and I want to know what those Governor's Rules are?

Mr. President (The Honourable Sir Abdur Rahim): Has the Honourable Member got the previous answer?

Mr. T. S. Avinashilingam Chettiar: Yes, Sir. In today's reply, he has referred to a previous answer

The Honourable Sir Nripendra Sircar: The trouble is that my Honourable friend will not read section 84 (3) which indicates the matters on which the rules are being framed.

DETENTION OF MR. RAM KISHAN UNDER REGULATION III OF 1818.

1000. ***Mr. Sham Lal:** (a) Is it a fact that the Punjab Government have arrested and detained Mr. Ram Kishan, B.A. (National) under Regulation III of 1818?

(b) Will Government state the date when he was arrested and the reasons for his arrest?

(c) Have Government given Mr. Ram Kishan a chance to prove his innocence?

The Honourable Sir Henry Craik: (a) He has been detained under Regulation III under orders of the Government of India.

(b) He was arrested on the 5th May, 1934. Government were satisfied that he was working actively with the purpose of overthrowing the existing constitution in India by violence and, if at large, would be a grave danger to the safety of the State.

(c) Government are prepared to consider any representation which the State Prisoner wishes to make.

HEALTH OF MR. RAM KISHAN DETAINED UNDER REGULATION III OF 1818.

1001. ***Mr. Sham Lal:** (a) Is it a fact that since the date of his arrest the health of Mr. Ram Kishan, B.A. (National), has continuously suffered and gone down?

(b) Will Government state the condition of his health every three months after the arrest?

(c) What was the general condition of Mr. Ram Kishan's health and his weight at the time of arrest, and what is the health condition and weight now?

(d) Has the attention of Government been drawn to the news item appearing on page 20 of the *Daily Pratap*, Lahore, dated the 25th January, 1936, about the certificate issued by the Medical Superintendent, Mayo Hospital, regarding the health of Mr. Ram Kishan, in which the said Medical Officer has stated that both the lungs of Mr. Ram Kishan have been affected and that the state of his left lung is worse and that tuberculosis germs are getting strength, and as such the condition of the patient is giving cause for anxiety?

(e) What steps have Government taken to save the life of the prisoner?

(f) In view of this grave condition of his health, are Government prepared to release the prisoner?

The Honourable Sir Henry Craik: (a) No.

(b) and (c). The information is given in a statement which I lay on the table.

(d) Yes.

(e) In May, 1935, the State Prisoner was transferred from the Muzaffargarh Subsidiary Jail to the Lahore Central Jail in the hope that the climate of Lahore would suit him better. In Lahore he was twice examined by specialists at the Mayo Hospital. On the second occasion he was found to be suffering from pulmonary tuberculosis. He has now again been sent to that hospital for further examination as he has made complaints suggesting a weakness of the heart.

(f) As at present advised Government have no reason to think that there is any immediate danger to the life of the State Prisoner nor that he would be able to obtain more suitable treatment for his disease if he were released. They are not, therefore, at present prepared to release him on grounds of health. He is receiving the best treatment available in the Punjab.

Statement showing weight and general health of State prisoner Ram Kishan detained at the Central Jail, Lahore.

Weight at the time of arrest—112 lbs.
General health—Good.

Date.	Weight.	Health.	Remarks.
	lbs.		
1-8-1934	116	Good . . .	
3-9-1934	118	Fair.	
1-10-1934	118	Fair	
1-11-1934	125	Good.	
1-12-1934	122½	Fair . . .	Had had a few attacks of Malaria.
2-1-1935	121	Improving .	Had B. Coli infection during last month. Blood was examined at Provincial Bacteriological Laboratory. Vaccine prepared. Injections given.
1-2-1935	125	Good.	
1-3-1935	119	Is being watched.	In the last week of February he developed some boils in his left ear, which gave him evening temperature to 99. His boils were cured.
1-4-1935	124	Improving .	Shown improvement during the last week of March.
1-5-1935	122	Indifferent	He had had a mild attack of Influenza of which he was cured, his evening rise of temperature to 99 continued.
1-6-1935	126	Fair . . .	Had low temperature during the 1st fortnight; later on improving.
30-6-1935	125	Good.	
31-7-1935	123	Good.	
13-8-1935	123	Good.	
30-9-1935	117	Good.	
30-10-1935	116	Fair.	
18-11-1935	115	..	Report of the Mayo Hospital, Lahore:—Examination revealed physical signs of infiltration of both lungs more especially upper part of the left. There was definite evidence of active disease of left lung and signs suggestive of the active disease at the lower part of the right lung. T. B. Bacilli in sputum.
31-12-1935	116	Not good.	
31-1-1936	125	Improving.	

Mr. S. Satyamurti: May I make a submission to you on the reply given by the Home Member this morning?

Mr. President (The Honourable Sir Abdur Rahim): The Chair cannot allow any argument.

Mr. S. Satyamurti: I want to make the submission to you, arising out of the reply given this morning by the Honourable the Home Member in reference to sub-clause (g) of question No. 995. I am talking of a general rule of practice.

Mr. President (The Honourable Sir Abdur Rahim): The Chair cannot allow that at this stage.

STATEMENTS LAID ON THE TABLE.

Information promised in reply to starred question No. 531, asked by Seth Govind Das on the 17th February, 1936.

INDIAN EXHIBITION AT THE CHRIST CHURCH, WESTMINSTER.

The Honourable Member's question is presumably based upon an article which appeared in the *Hindu* of the 26th November, 1935, and in which the London correspondent of that paper quoted from an article in a little known English paper called the *South London Press* and reproduced the criticisms mentioned in the question. A short time later the same correspondent sent another article to the *Hindu* which appeared in the *Hindu* of the 30th December, 1935, in which he explained that he had not seen the exhibition himself and in effect withdrew the implied criticisms contained in his previous article by pointing out that the object of the organisers of the exhibition was to unfold to all who attended it a broad general picture of India as a whole and to emphasise its possibilities for development. The organisers of the Exhibition, the London Missionary Society, also wrote to the editor of the *Hindu*, but as far as I am aware the letter has not been published in that newspaper. As this letter shows clearly the object of the organisers of the exhibition and their sympathy with India, I annex a copy of it to this statement. It is clear from this that the criticisms of the exhibition to which publicity has been given in this country were not justified and that there is no need for Government to take any action in the matter.

Copy of a letter from the London Missionary Society, London, to the Editor, "Hindu", Madras, dated the 3rd January 1936.

"I have received from several people in different parts of the Madras Presidency, also from other parts of India where newspapers appear to have copied from the *Hindu*, extracts from your London letter published in *Hindu*, extracts from your London letter published in your issue of the 26th November, 1935, criticising a recent Exhibition in Westminster organised by a local group of Churches connected with the London Missionary Society. Your own correspondent did not visit the Exhibition and probably now regrets having published criticisms of it on second-hand evidence. The actual criticism was published in a little-known local paper and although the organisers of the Exhibition saw it, the misrepresentations in it were so obvious, and the range which the criticism was likely to have seemed so restricted that at the time they thought it unnecessary to publish a reply. Large numbers of people had seen the Exhibition and no-one but the reporter in the local newspaper had felt critical about it. Not having had the advantage of living in India they did not know the Tamil proverb that though the snake be small you should hit it with a big stick, and naturally thought they could safely leave alone a little misrepresentation. Now the London Missionary Society has been most unjustly pilloried all over India.

It has been ascertained that the reporter whose statement was quoted in your London letter came into the small Exhibition referred to at a time when a well-known Indian gentleman, with whom India's reputation is perfectly safe, was addressing a meeting, and sat there for a time. Each day at the Opening of the Exhibition a speech was made by a distinguished Indian. Near where the reporter sat there happened to be a stall shewing a few objects connected with religion, including one or two idols, though these were not in any way specially conspicuous. He left before the speech was over and apparently did not look at the rest of the Exhibition or he would have seen some very interesting and attractive exhibits concerning India in general, as well as concerning the social and educational services which the missionary society tries to render in the name of Christ. He would have seen Indian games played by English children with great appreciation, and would have found an intense and sympathetic interest in Indian problems in the minds of a score or so of honorary Stewards who had been studying text books on India for some weeks past. He did not read his programme or he could not possibly have made the statements which he did. Its opening pages include pictures of the Himalayas and other features shewing India as a great and beautiful country.

There is excellent evidence that this small Exhibition has actually heightened the love of India in many people's hearts as well as strengthened their desire to serve India in the Christian spirit. Amongst those who addressed meetings or shewed lantern slides there were men and women whose whole working life has been spent in India and who are as sensitive for India's good name as if they were Indian themselves.

Things are being said in the Indian press just now about the means which missionary societies use to educate their constituencies, which to those of us who know the facts are very strange. As one who has spent 25 years in India and who is in intimate touch with the educational work of the London Missionary Society in Britain, may I assure you that throughout the Churches of this country there is a widespread love and respect for India which rests upon the statements which missionaries are continually making. We are all human and doubtless there are lapses here and there, but broadly speaking it is quite untrue to say that the missionaries of societies like ours dwell only on the darker side of Indian life. We should be quite happy to have British life portrayed in India as fairly as Indian life was portrayed in the Westminster Exhibition.

With best wishes for the *Hindu*, of which I am an old reader.

Information promised in reply to unstarred questions Nos. 142 and 144 asked by Pandit Sri Krishna Dutta Paliwal on the 18th February, 1936.

APPLICATION OF THE NEW SCALES OF PAY TO THE RE-EMPLOYED STAFF OF THE AUDIT AND ACCOUNTS DEPARTMENT.

142. (a) Certain memorials were considered and rejected.

(b) and (c). Government servants selected for retrenchment were compulsorily discharged and were entitled to certain concessions under the general orders issued by the Governor General in Council. Under the Re-employed Personnel (Conditions of Service) Rules and the Revised Rates of Pay Rules, retrenched persons are in the event of re-employment regarded as new entrants to Government service and are entitled only to the revised rates of pay. This equally applies to the retrenched staff of the Audit and Accounts Offices.

(d) No question arose of warning the retrenched persons of the consequences of accepting the retrenchment concessions, because whether they were retrenched or not was not a matter for their option. As there has been a break in their service, they are not, under the rules mentioned in the reply to parts (b) and (c), now entitled to their former status.

HARDSHIPS OF CLERKS DISCHARGED FROM PAY AND ACCOUNTS OFFICES IN THE UNITED PROVINCES AND IN DELHI.

144. (a) Yes. The establishments to which these retrenched clerks belonged agitated for retrenchment concessions when the Pay and Accounts Offices were broken up. The question of intimating any adverse consequences did not arise as the terms to be offered on re-employment were settled later.

(b) As there was neither guarantee nor even prospect of re-employing the retrenched personnel when they were retrenched and as the rules regulating re-employment were framed later, there could have been no reasonable belief about refund at the time the gratuity was granted.

(c) As far as can be ascertained from records, it appears that these re-employed personnel submitted memorials on this subject in July, 1933. Their request was not accepted as the extra cost was considered to be prohibitive.

Information promised in reply to the short notice questions asked by Messrs. S. Satyamurti, M. Ananthasayanam Ayyangar and T. S. Avinashilingam Chettiar on the 18th February, 1936.

RIOTS IN ZANZIBAR.

Following the recent disturbances in the Protectorate, the Government of Zanzibar have appointed a Commission of Inquiry with the Honourable Mr. W. T. S. Frets, Acting Chief Justice of Zanzibar, as Chairman. The Indian community is represented on the Commission by Mr. Ahmed Ayub, an Indian Advocate, the other members being Dr. W. L. Webb, Director of Medical Services, Sheikh Ali bin Ameir-El-Marhubi, Arab member of the Legislative Council, and Archdeacon Elliott.

The terms of reference to the Commission are to enquire into and report upon the causes, direct and indirect, of the riots which took place in Zanzibar town on the 7th February, 1936, including any circumstances which may reasonably be considered to have been a contributory factor.

Information promised in reply to parts (l) & (m) of starred question No. 745, asked by Pandit Govind Ballabh Pant on the 24th February, 1936.

POSITION OF INDIANS IN IRAQ.

(l) Indians may enter Iraq on obtaining an entry *visa* for Iraq which entitles them to remain in Iraq without other formality for three months.

(m) Indians intending to reside in Iraq for more than three months are required to register with the Iraqi Police and to obtain a residence permit valid for one year and renewable thereafter. This residence permit is in general granted on the production of a guarantee of repatriation by a British Consular Officer who in turn requires either the deposit of Rs. 100 or the guarantee of some individual or firm known to him, to enable him to issue this guarantee. Deposits are refunded to the depositors on their leaving Iraq, in so far as they have not been utilized for repatriation expenses.

SIR FREDERICK WHYTE'S NOTES REFERRED TO BY THE HONOURABLE THE HOME MEMBER DURING THE DISCUSSION ON THE ADJOURNMENT MOTION ON THE 24TH FEBRUARY, 1936.

The Honourable Sir Henry Craik (Home Member): Sir, I lay on the table a copy of Sir Frederick Whyte's notes, dated the 17th September, 1921, and the 14th October, 1921, referred to by me in the course of discussion on the adjournment motion on the 24th February, 1936.

A note dated 17th September 1921 by Sir A. F. Whyte.

I notice that it is the practice for clerks and other subordinate officers in Government employment to approach Members of the Legislature and to ask them to air any grievance they may have on the Question Paper of the Legislative Assembly. As an instance of this I may refer to Q. D. No. 815.

There is an administrative rule at home by which all candidates for office under Government are warned that any attempt to enlist the influence of Members of Parliament in favour of their candidature may entail disqualification and, certainly, will not promote their success.

Will you ascertain privately from the Departments whether such a rule would be possible or advisable here. It would assist us in excluding Questions from the Order Paper of the Assembly which ought to be excluded, and yet are difficult to disallow under existing conditions.

A. F. WHYTE,—17-9-21,
President, Legislative Assembly.

A note dated 14th October, 1921, by Sir A. F. Whyte.

At the Presidents' Conference, we agreed that questions likely to interfere with the discipline or proper working of a Department were undesirable and one President went so far as to say that he had disallowed them as not being of public concern. I think this is a sound view. There are presumably means whereby subordinates can approach the head of an office when they have a real grievance; if so, such questions cannot become 'of public concern' unless and until the prescribed method has been tried and failed—and I would add, unless the grievance is substantial.

A. F. WHYTE,—14-10-21,
President, Legislative Assembly.

Mr. S. Satyamurti (Madras City: Non-Muhammadan Urban): May I make a submission to you. The other day, unless my eyes deceived me, I found the Honourable the Home Member reading from a bulky volume. The Secretary of the Independent Party then raised the point that he was reading from the proceedings of the Presidents' Conference, which he claimed was a confidential document, and you were then pleased to say that they were confidential. Then, my friend, the Home Member, stated that he was reading from the notes sent by Sir Frederick Whyte to the Government of India. I then asked him whether he would be pleased to place the document on the table of the House. You were then pleased to ask him whether he would be pleased to do so and he said 'Yes'. Then, Sir, on that, I wrote to the Secretary of the Assembly asking for that document, and he wrote to me and said that the Honourable the Home Member will place on the table a copy of the document from which he quoted. I rely on the words "document from which he quoted". I submit to you that according to "Parliamentary Practice" as defined by May, not the particular note which he quoted, but the document as a whole has got to be placed on the table of the House. I trust we are entitled to that.

Mr. President (The Honourable Sir Abdur Rahim): The Chair has considered the matter. If the Honourable Member will refer to the notes, he will find that they are complete.

Mr. S. Satyamurti: It is rather hard on us. I want the book. I am entitled to it.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable the Home Member was not quoting the book, and the Honourable Member is not entitled to the whole book.

Mr. S. Satyamurti: I saw it myself.

Mr. President (The Honourable Sir Abdur Rahim): He is entitled only to the notes which were forwarded to the Government, and he has got the complete notes. The Chair has gone through the relevant passages in May and the ruling. The Honourable Member is not entitled to the whole book.

Mr. M. Ananthasayanam Ayyangar (Madras ceded Districts and Chittoor: Non-Muhammadan Rural): Is the Honourable the Home Member entitled to give only extracts and not the whole context?

Mr. President (The Honourable Sir Abdur Rahim): If the Honourable the Home Member produced an extract that does not give the context, then the Honourable Member is entitled to ask for the context as well. As the Honourable the Home Member in this case has supplied the full notes, there is no question of any context being kept out.

Mr. M. Ananthasayanam Ayyangar: May we have an exact copy?

Mr. S. Satyamurti: I have not compared it with the original. How do you know, that it is a correct copy?

Mr. President (The Honourable Sir Abdur Rahim): The Chair cannot ask the Honourable Members of the Government to furnish the whole book. He has not read out the book. He said that he has got a note by Sir Frederick Whyte and he has placed that on the table.

Mr. S. Satyamurti: How can you be sure that it contains every thing or that it is accurate?

Mr. M. Ananthasayanam Ayyangar: What is the objection to placing it on the table, so that we may compare?

Mr. President (The Honourable Sir Abdur Rahim): Order, order.

ELECTION OF MEMBERS FOR THE STANDING COMMITTEE FOR ROADS.

The Honourable Sir Frank Noyce (Member for Industries and Labour): Sir, I beg to move:

"That this Assembly do proceed to the election, in such manner as may be approved by the Honourable the President, of six members to serve on the Standing Committee for Roads which will be constituted to advise the Governor General in Council in the administration of the Road Account during the financial year 1936-37."

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That this Assembly do proceed to the election, in such manner as may be approved by the Honourable the President, of six members to serve on the Standing Committee for Roads which will be constituted to advise the Governor General in Council in the administration of the Road Account during the financial year 1936-37."

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): I may inform Honourable Members, that, for the purpose of election of Members to the Standing Committee for Roads, the Notice Office will be open to receive nominations up to 12 Noon on Monday, the 9th March, and the election, if necessary, will, as usual, be held in the Secretary's Room in the Council House on Wednesday, the 11th March, 1936, between the hours of 10-30 A.M. and 1 P.M. The election will be conducted in accordance with the principle of proportional representation by means of the single transferable vote.

THE DECREES AND ORDERS VALIDATING BILL.

The Honourable Sir Nripendra Sircar (Law Member): Sir, I beg to move for leave to introduce a Bill to remove certain doubts and to establish the validity of certain proceedings in High Courts of Judicature in British India.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill to remove certain doubts and to establish the validity of certain proceedings in High Courts of Judicature in British India."

The motion was adopted.

The Honourable Sir Nripendra Sircar: Sir, I introduce the Bill.

THE INDIAN LAC CESS (AMENDMENT) BILL.

Sir Girja Shankar Bajpai (Secretary, Department of Education, Health and Lands): Sir, I beg to move for leave to introduce a Bill further to amend the Indian Lac Cess Act, 1930, for certain purposes.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill further to amend the Indian Lac Cess Act, 1930, for certain purposes."

The motion was adopted.

Sir Girja Shankar Bajpai: Sir, I introduce the Bill.

THE INDIAN CINEMATOGRAPH (AMENDMENT) BILL.

The Honourable Sir Henry Craik (Home Member): Sir, I beg to move:

"That Mr. A. S. Hands be re-appointed to the Select Committee on the Bill further to amend the Cinematograph Act, 1918, for a certain purpose, as passed by the Council of State."

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That Mr. A. S. Hands be re-appointed to the Select Committee on the Bill further to amend the Cinematograph Act, 1918, for a certain purpose, as passed by the Council of State."

The motion was adopted.

REPORT OF THE INDIAN DELIMITATION COMMITTEE.

The Honourable Sir Nripendra Sircar (Leader of the House): Sir, I beg to move:

"That those portions of the Report of the Indian Delimitation Committee which relate to the Federal Legislature be taken into consideration."

Honourable Members will remember that there was an assurance given in this House by myself and in pursuance of that assurance this motion is being moved. I desire, Sir, to say only a few words. The language which has been used here is an exact reproduction of the language previously used, but I quite realise the difficulty of keeping matters which relate to the Federal Legislature and those which do not in two water-tight compartments, and I quite realise that it is possible and it can reasonably be submitted that matters which may be said from one point of view not to relate to the Federal Legislature may nevertheless be said to have an indirect bearing on the Federal Legislature. I am making this statement, because, in case various amendments are moved, I am not going every time to raise any objection. I will leave the matter entirely to you, Sir, and if you think that it is within the scope of this motion, we really do not want to take a strenuously hostile attitude. If any amendment is not permissible, then that may not be allowed, but if for any reason such an amendment can be moved on the ground that the subject-matter has a direct or indirect bearing on the Federal Legislature, then the Government will have no objection to the matter being discussed subject to your ruling. Now, Sir, as a matter of fact, so far as the portions of the Report of the Indian Delimitation Committee which relate to the Federal Legislature are concerned, the Government of India have not yet come to any definite conclusion; and, I am sure, the discussions that will take place in the House will be carefully considered by the Government before they finally decide as to what their recommendations ought to be. I understand that there is a proposal for referring this matter to a Committee and possibly, strictly speaking, I ought to wait until that motion is moved.

Mr. President (The Honourable Sir Abdur Rahim): A short notice of the motion has been handed in just now.

The Honourable Sir Nripendra Sircar: I would rather, on second consideration, wait until that is moved. I desire also to inform the House that as the Government of India have not yet come to any conclusions as to what their recommendations are going to be, it will be difficult and embarrassing for any individual Government official to express any definite opinion on the floor of this House, and, in the circumstances of this case, and in view of the fact that no conclusions have been arrived at by the Government of India, they do not propose to take any part in the

proceedings, although, whatever conclusions may be arrived at by whatever means, we are bound to consider them ourselves and to send them forward to the proper quarter at the earliest possible opportunity. Sir, I move.

Mr. D. K. Lahiri Chaudhury (Bengal: Landholders): Sir, may I ask for a piece of information from my Honourable friend, the Law Member? He said that the Government are not taking part in the discussion of this matter. Will Government consider and give effect to the decision of the elected Members of this House in this matter?

The Honourable Sir Nripendra Sircar: Sir, my Honourable friend asks for information which has in fact already been supplied by me just now, *viz.*, that, whatever the decisions and recommendations are, they will be duly considered by us. I did say that.

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): Will the Honourable Member kindly inform the House—in view of the wording of his motion in which he says that:

“That those portions of the Report of the Indian Delimitation Committee which relate to the Federal Legislature be taken into consideration.”

or will you, Sir, give us a ruling, whether the Government are going strictly to confine the discussion today to Federal subjects only, or will the Government allow us to discuss and refer to matters concerning the Provincial Legislatures which form the nucleus of the Federal Legislature. I would like to have a clear understanding on that point.

The Honourable Sir Nripendra Sircar: Sir, it is rather unfortunate that within five minutes, for the second time, information has been wanted on a matter on which I gave full and ample information; *viz.*, I made it perfectly clear in my speech that it was not intended to construe those words strictly, and it would be for the Honourable the President, after hearing the House if necessary, to give us a decision; but we, as a Government, shall not take up an actively hostile attitude as to whether a matter which, although not, strictly speaking, appertaining to the Federal Legislature, can be indirectly and reasonably be said to have a bearing on the Federal Legislature, can be discussed or not.

Lieut.-Colonel Sir Henry Gidney: Thank you.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

“That those portions of the Report of the Indian Delimitation Committee which relate to the Federal Legislature be taken into consideration.”

The Honourable Member, Pandit Govind Ballabh Pant, wants to move an amendment. The Chair would ask him why he did not send in notice as he should have done according to rule?

Pandit Govind Ballabh Pant (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): In fact, Sir, I did send in a notice, but yesterday was a holiday.

Mr. President (The Honourable Sir Abdur Rahim): Why not before that?

Pandit Govind Ballabh Pant: I tried to study the report before giving notice of any such motion. If no objection is taken by any Honourable Member, I would request you, Sir, to suspend the Rules of Business.

Mr. President (The Honourable Sir Abdur Rahim): If no objection is taken by anyone.

The Honourable Sir Nripendra Sircar: So far as we are concerned, we do not take objection.

Pandit Govind Ballabh Pant: Sir, I move:

“That for the words ‘be taken into consideration’ the following be substituted :

‘be referred to a Committee consisting of the Honourable Sir Nripendra Sircar; the Honourable Sir Muhammad Zafrullah Khan, Mr. Bhulabhai J. Desai, Mr. S. Satyamurti, Mr. M. Asaf Ali, Sir Cowasji Jehangir, Mr. M. A. Jinnah, Mr. Abdul Matin Chaudhury, Mr. M. S. Aney, Sardar Mangal Singh, Sir Leslie Hudson, Mr. Mathuradas Vissanji, Rao Bahadur M. C. Rajah, Mr. N. M. Joshi’.”

and I would just now, Sir, like to add thereto, if the House will permit me, the names of:

“Mr. Akhil Chandra Datta and Pandit Nilakantha Das and the Mover, with instructions to submit their report before March 18th, 1936.”

Now, Sir, the reason why I consider it necessary to refer this Report to a Committee, instead of having it discussed on the floor of this House, will, I believe, commend itself to every Honourable Member of this House. The Report covers wide ground.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): Very wide.

Pandit Govind Ballabh Pant: The issues to which it relates are of a varied and complex character; it is difficult to deal with them in an adequate manner or to do justice to them within the limited time that can be available for discussing the contents of the Report on the floor of the House, and, moreover, the questions arising out of the Report will have to be considered from various aspects and points of view. In these circumstances, I feel that the best way to deal with the matter is to refer it to a Committee. There are many points which have to be considered, and, if one were even to narrate them, it would take many minutes. I would refer only to some of the important issues which are covered by it. For example, whether there should be multi-member constituencies or single-member constituencies, whether the representatives of the Scheduled castes should be returned by means of the distributive vote or by cumulative voting or by the single non-transferable vote, whether the proportion of representation of urban and rural areas as given in the Report is fair or just or it is not so, whether the electorates and the qualifications prescribed for the electors in regard to special constituencies, such as those of landholders, commerce, labour, etc., need any revision or should be adopted as they are, whether the method of voting as prescribed by the Report is a sound one or not, whether the secrecy of the ballot can or cannot be preserved in the manner suggested by the Report and so on and so forth; there are numerous other questions. Without dealing with them on their merits or at any

length, I suggest that the best method and the only profitable, useful and effective course of meeting the situation is by making a reference of the entire report to a Committee of this House. I have tried to suggest a committee in which all interests which are specially interested in the Report are adequately represented. I have no objection to putting in names that might be considered necessary or even taking out names which might be considered unnecessary. I do not want the Committee to be much bigger than it is. You may add one or two. I believe there are no interests ignored. As I said I am not committed to the actual personnel I have announced.

Mr. President (The Honourable Sir Abdur Rahim): Is the Honourable Member himself satisfied that it is representative enough?

Pandit Govind Ballabh Pant: Yes, Sir. The Leaders of all Parties are in it.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): What about unattached Members?

Mr. President (The Honourable Sir Abdur Rahim): The Chair thinks there are three names who do not belong to any Party.

Pandit Govind Ballabh Pant: There are Honourable Members in the list who do not belong to any Party even, such as Mr. Joshi who represents labour, Mr. Rajah who represents the Depressed Classes and Mr. Mathuradas Vissanji who represents commerce

Mr. M. S. Aney (Berar Representative): Who represents loyalty in that list?

Pandit Govind Ballabh Pant: I have included the name of the Honourable the Leader of the House in charge of Law which is the fountain-head of loyalty, and I have put him at the top and at the head of the Committee. I hope, Sir, that considering the nature of the problem which is to be tackled and considering the numerous questions of detail and pretty large number of questions of principle which are involved, the House will agree with me, in the view, that I have submitted that the only proper, appropriate and effective manner of dealing with the question is by means of reference to a Committee. In view of the fact that the decision of the Committee should not be delayed and so that the Government might be in possession of the views of this House as early as possible, I have put the latest date as the 18th March by which the report of this Committee should be submitted. It will be for this House and for the Government to decide whether the report of the Committee will be considered by this House or whether this Committee will be empowered to submit the report on behalf of this House—the decision rests with this House. I would personally prefer its coming back to this House. (Hear, hear.) In any case, it is better that the matter should be sifted in committee rather than there should be a sort of discussion which is likely to be discursive on the floor of this House for a decision of these intricate and important matters. As they do not affect any fundamental questions of constitutional policy or communal representation, but only methods of representation, I believe, no embarrassing situations will arise. In the circumstances, I expect that this proposal of mine will be accepted unanimously by the House and the Government will be good enough to accede to it.

Mr. President (The Honourable Sir Abdur Rahim): There are two matters which are brought to the Chair's notice. The Chair does not think there is any definite procedure laid down for an amendment of this character. Anyhow, the Chair finds that the Honourable Member has not mentioned who will act as Chairman of the Committee and how many will constitute the quorum of the Committee. Perhaps he would like to provide for these matters.

Pandit Govind Ballabh Pant: I suggest that the Honourable Sir Nripendra Sircar be the Chairman of the Committee and that seven Members do constitute a quorum. Add the following at the end of my motion:

"That the Chairman of the Committee will be the Honourable Sir Nripendra Sircar and that the presence of seven Members will constitute the quorum for the Committee."

Sir Leslie Hudson (Bombay: European): I propose, if there is no objection, to add the name of Lieut.-Colonel Sir Henry Gidney to the list of Members on the Committee.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That for the words 'be taken into consideration' the following be substituted:

'be referred to a Committee consisting of the Honourable Sir Nripendra Sircar; the Honourable Sir Muhammad Zafrullah Khan, Mr. Bhulabhai J. Desai, Mr. S. Satyamurti, Mr. M. Asaf Ali, Sir Cowasji Jehangir, Mr. M. A. Jinnah, Mr. Abdul Matin Chandhury, Mr. M. S. Aney, Sardar Mangal Singh, Sir Leslie Hudson, Mr. Mathuradas Vissanji, Rao Bahadur M. C. Rajah, Mr. N. M. Joshi, Mr. Akhil Chandra Datta, Pandit Nilakantha Das, Lieut.-Colonel Sir Henry Gidney, and the Mover, with instructions to submit their report before the 18th March, 1936, and that the Chairman of the Committee will be the Honourable Sir Nripendra Sircar and that the presence of seven Members will constitute a quorum for the Committee'."

The Honourable Sir Nripendra Sircar: Sir, I should like to make the position of myself and of Government clear in this matter. We are out to ascertain the opinion of non-official Members. As I have explained, Government as such have not come to any conclusion. We can have no objection if, instead of opinion being formed here as a result of debate on the floor of the House, it is formed by the deliberations of a committee.

Mr. President (The Honourable Sir Abdur Rahim): The Chair takes it the report will be submitted to the House and will be discussed.

The Honourable Sir Nripendra Sircar: If the idea is that the recommendations which will be made or the opinions which will be formed or the Resolutions which will be passed there will represent the view of this House, to that I have no objection. But I understood my Honourable friend to say,—and that is the indication which you are giving me,—that after this report is made to the House there will be a discussion like any other report.

Mr. President (The Honourable Sir Abdur Rahim): The Chair takes it that is the intention, that the report should be submitted to the House.

Pandit Govind Ballabh Pant: Yes, Sir; I would certainly prefer the report to be made to the House. But if the choice came between having no committee or having a committee whose report might be submitted direct to Government, then I would rather have a discussion today on the principles of this report, and then a committee constituted in order to make a report in the light of the opinions that may be expressed.

Mr. President: Surely the Honourable Member does not want that the committee should decide the matter? It must be the House to decide on the report of the committee.

Pandit Govind Ballabh Pant: Yes, Sir, the House must decide it, naturally, according to usual practice.

The Honourable Sir Nripendra Sircar: That is exactly my difficulty. We want to make it clear that we gave an undertaking, and in pursuance of that undertaking we have brought this motion before the House. We have given no undertaking, and I cannot undertake now, to give further time for the discussion of any report which may be made by the committee. A *via media* was suggested to me by the Mover, but I do not know whether it will be acceptable to the House. I thought what was suggested is that instead of having a discussion here on the points which are many and complicated and on which opinions are likely to be divergent, this committee will come to conclusions as to what ought to be their recommendations, and I thought I was being asked to accept that report as the view of this House. That can only be done by a delegation by the House, if it is permissible.

Mr. President (The Honourable Sir Abdur Rahim): That cannot be done.

The Honourable Sir Nripendra Sircar: If that cannot be done, then I desire to make it clear that in any case we cannot, so far as I myself and my Honourable colleague, Sir Muhammad Zafrullah Khan, are concerned, possibly serve on the committee in the circumstances. We have no objection to a purely non-official committee, but there the difficulty is that we cannot undertake to give further time for the discussion of the report of the committee. That is our position. In any case we do not propose to take part in the discussions of the committee, and I desire to make it clear that we are not in a position now to give any undertaking that further official time will be given for discussion of any report which may be made by the committee to the House.

Mr. President (The Honourable Sir Abdur Rahim): Unless some clear precedent is produced that the House can delegate its functions like that to a committee, the Chair is not prepared to allow a motion of that character, if it is intended that the committee shall decide the question now raised before the House.

Pandit Govind Ballabh Pant: So far as the terms of this motion go, the matter is being referred to a committee with instructions to report, that is, report to the principal body which is making reference. But, if any amendment is made from any quarter for modification of this, then will be the time to consider whether that amendment should or should not be made. Otherwise the terms of this motion are clear as they are.

Mr. President: The Chair wants to make it clear that the power of this House cannot be delegated in that way.

Pandit Govind Ballabh Pant: The Honourable the Leader of the House has only expressed his difficulty about giving any undertaking today as to when he will be able to give time for the consideration of that report. That is after all a minor matter. When this House refers a matter to a committee and its report is submitted and it is a question of an urgent as well as of an important character, I have every hope that Government will be pleased to find time for it.

Mr. President (The Honourable Sir Abdur Rahim): He has also suggested another difficulty,—the Chair does not know what the Honourable Member has to say to that,—that the Members of Government will not be able to serve on the committee.

Pandit Govind Ballabh Pant: Then the committee will have to be a non-official committee and it will elect its own Chairman and proceed with the business. But if it is necessary to nominate a Chairman, I will suggest the name of one of the Members who are here.

The Honourable Sir Nripendra Sircar: I hope there will be no misunderstanding; I may not be able to give time in this Session for a discussion of a report of this kind.

Mr. President (The Honourable Sir Abdur Rahim): That being the position, the Chair cannot find time.

Pandit Govind Ballabh Pant: Anyway, the motion being before the House it has to be discussed. Whether Government will be able to find time or not is for them to consider.

Mr. President (The Honourable Sir Abdur Rahim): That cannot be the subject-matter of a motion.

Pandit Govind Ballabh Pant: We cannot introduce a motion that Government will have to find time. That is for them to consider. But I still believe that they are resourceful enough to be able to find time for us.

Mr. President (The Honourable Sir Abdur Rahim): The House and the Honourable Member must take this fact into consideration that the Leader of the House is positive that he cannot undertake to find time this Session. It is for him then to consider whether he will press this motion.

Mr. M. S. Aney: Sir, I rise on a point of order. The Honourable the Leader of the House said that he and his colleague will not be in a position to work on this committee. I believe, under Standing Order 40 of our Manual, no Select Committee of this House can be appointed. . . .

Mr. President (The Honourable Sir Abdur Rahim): This is not a Select Committee.

Pandit Govind Ballabh Pant: There is no Bill before us.

Mr. M. S. Aney: It is a committee of the House that is being appointed to examine a particular report. I submit

Mr. President (The Honourable Sir Abdur Rahim): Rule 24A will apply.

Mr. M. S. Aney: The only provisions under which we can appoint committees like that must be on the lines of the provisions made for the appointment of Select Committees by the House, and that is the only provision of which we can take some advantage for the sake of appointing a committee. And for the appointment of such committees it has been distinctly laid down that the Member who is in charge of the department to which that particular motion refers has to be on that committee. It is not a question of his choice.

The Honourable Sir Nripendra Sircar: That is for Select Committees upon a Bill and has no application to the present case,

Mr. M. S. Aney: That is the only analogy on which we can go.

The Honourable Sir Nripendra Sircar: I am referring to the rule and not to analogies.

Mr. President (The Honourable Sir Abdur Rahim): Which rule is the Honourable Member referring to?

Mr. M. S. Aney: I refer to Standing Order 40.

Mr. President (The Honourable Sir Abdur Rahim): That has no application. Rule 24A is the only rule which can apply. The Chair does not think there is any other rule.

The Honourable Sir Nripendra Sircar: Yes, Sir.

Mr. President (The Honourable Sir Abdur Rahim): Will the Honourable Member (Pandit Pant) move an amendment that these two names should be left out?

Pandit Govind Ballabh Pant: I beg to withdraw the names of the Honourable Sir Nripendra Sircar and the Honourable Sir Muhammad Zafullah Khan as they do not want to be on the Committee.

Sir H. P. Mody (Bombay Millowners' Association: Indian Commerce): What then is the position? Is the Report coming before the House, and, if so, will the House have an opportunity of discussing it?

Mr. President (The Honourable Sir Abdur Rahim): Not this Session apparently.

Sir H. P. Mody: Then, is the House to be deprived of the opportunity of pronouncing its opinion on any issue involved in the Report?

Mr. President (The Honourable Sir Abdur Rahim): That will be the result.

Sir H. P. Mody: Is that admissible? If that is the result,

Mr. President (The Honourable Sir Abdur Rahim): The House will know when the amendment comes on.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadian Urban): These difficulties arise, it appears to me, from two causes. The first cause is that. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Chair does not want that sort of question to be discussed.

Sir Cowasji Jehangir: I am speaking on the amendment.

Mr. President (The Honourable Sir Abdur Rahim): The Chair will come to that. If these two names are left out, who shall be the Chairman of the Committee?

Pandit Govind Ballabh Pant: **Mr. Akhil Chandra Datta**, the Deputy President, will be the Chairman of the Committee.

Mr. President (The Honourable Sir Abdur Rahim): If the amendment is modified like that, the names of the Honourable Sir Nripendra Sircar and the Honourable Sir Muhammad Zafrullah Khan will be omitted and the Chairman shall be Mr. Akhil Chandra Datta instead of Sir Nripendra Sircar.

Mr. D. K. Lahiri Chaudhury: On a point of order. I think these two names have been accepted. Is it fair on the part of the House to alter the names after a decision has been taken?

Mr. President (The Honourable Sir Abdur Rahim): No decision has been taken. I have simply read out the motion.

Sir Cowasji Jehangir: Do we adjourn at a quarter to one? (Laughter.)

Mr. President (The Honourable Sir Abdur Rahim): Today being Friday, the House is adjourned to quarter past two.

The Assembly then adjourned for Lunch till a Quarter Past Two of the Clock.

The Assembly re-assembled after Lunch at a Quarter Past Two of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

Mr. N. M. Joshi (Nominated Non-Official): Mr. President, with your indulgence, I would like to move my amendment. I shall read it:

"That at the end of the motion, the following be added:

"That on such consideration the Assembly is of opinion that in the matter of labour representation in the Federal Assembly"

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot move this amendment, having regard to the nature of Pandit Govind Ballabh Pant's amendment which is for reference to a Committee. If that is negated, then the Honourable Member can move his amendment.

Mr. N. M. Joshi: What I would suggest is that the convenience of the House will be better met if you will permit all the amendments to be moved and then allow the discussion. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Chair cannot allow that, having regard to the fact that this amendment is to refer the motion to a committee: the Chair will allow Mr. Joshi's amendment to stand over.

Mr. N. M. Joshi: What I would suggest is that the committee will get some guidance if we are allowed to move our amendments. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can speak on the motion as well as on this amendment—whatever views he has got on the subject.

Mr. N. M. Joshi: Sir, the Government of India Act has laid down that ten seats should be reserved for labour by special constituencies. These seats are divided among the different provinces. There is one seat which is an All-India seat or a non-territorial seat, which is to be filled by the central organisation of the working classes, the National Trades Union Federation. In this connection I would draw the attention of the Government of India that the Report of the Hammond Committee has suggested the name of the All-India Trades Union Federation. As a matter of fact, the real name of that organisation is National Trades Union Federation. Then, the Government of India Act has given two seats to Bengal, two to Bombay, one to Bihar, one to the United Provinces, one to the Central Provinces, one to Madras and one to Assam. When the Royal Commission on Indian Labour considered the question of labour representation they suggested that the proper constituencies for labour representation are the trade unions of the country, and, therefore, they were of opinion that the election of members for the seats reserved for labour should be through trade union constituencies. The Franchise Committee too generally approved of the proposal of the Royal Commission on Indian Labour. But the Franchise Committee also suggested that where trade union constituencies are not practicable, there should be special labour constituencies formed for unorganised labour. Sir, this Hammond Committee has given four seats to Trade Union Constituencies. The All-India seat is given to a labour organization, the National Trades Union Federation. The two seats for Bombay are also to be filled by election through Trade Unions. There are two seats for Bengal out of which, the Committee has suggested, that one seat should be filled by the Trade Unions and one by special labour constituencies. In other provinces, that is, Madras, Assam, the Central Provinces and the United Provinces, the Committee has suggested special labour constituencies, and in Bihar, the Committee has also suggested special labour constituencies as well as a Trade Union Constituency by rotation. Thus, on the whole, the Committee has not done justice to the demand of the working classes that the seats reserved for them should be filled

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by Trade Union Constituencies. I, therefore, suggest, Sir, that these recommendations of the Hammond Committee should be altered so that in all provinces except Assam where Trade Unions do not exist the seats should be filled through the Trade Union Constituencies.

Then, Sir, the Hammond Committee in making recommendations for the election of labour seats through Trade Union Constituencies have selected Trade Unions only in certain industries; the Unions or even all the registered Unions in all industries are not empowered to take part in the elections through Trade Union Constituencies. My suggestion is that in every province the Unions in all industries should be entitled to vote for election of labour seats through Trade Union Constituencies.

Then, Sir, the National Trades Union Federation have suggested that the territorial labour seats for the Legislative Assembly should be so filled that all the important industries shall be represented, so that in the Legislature there will be men who understand the conditions of life and work of the employees in all important industries such as the textile industry, the railways, the mining and plantations. Unfortunately, Sir, the Hammond Committee, although it considered that the functional scheme was an interesting one and deserved to be considered, they said they could not accept it, because the scheme did not harmonise with the views of the Provincial Governments. I think, Sir, the Hammond Committee has done injustice to the National Trades Union Federation which after a good deal of consideration had put forward their scheme. I hope the British Parliament will accept the scheme which the National Trades Union Federation has put forward before that Committee.

Then, Sir, the Committee has done injustice to the railwaymen in India. Railwaymen residing in one province and whose Union is registered in another province are not entitled to vote in the province in which they reside. I think, Sir, this is not fair. The railways run through several provinces. But their Union is registered in one province, although there are branches in other provinces, and there is no difficulty at all in allowing the branches of the Railway Unions in other provinces than the one in which the Union is registered to take part in the election for filling the labour seats.

Then, Sir, as regards the qualifications. . . .

Sir Cowasji Jehangir: I rise to a point of order, Sir. What are we discussing now? He has not read the amendment.

Mr. President (The Honourable Sir Abdur Rahim): Both the Resolution and the amendment.

Sir Cowasji Jehangir: Which amendment?

Mr. President (The Honourable Sir Abdur Rahim): Pandit Govind Ballabh Pant's amendment.

Sir Cowasji Jehangir: He has not said a word about the amendment yet.

Mr. N. M. Joshi: I am talking on the whole motion. Then, Sir, the Committee has suggested certain qualifications for the voters. In that connection, I wish to say that the Committee have suggested that a workman or a labourer whose wage is not less than Rs. 10 will be entitled to vote either in a special labour constituency or in a Trade Union Constituency. I think there is absolutely no justification for putting down a wage limit as a qualification. I feel that it is not the fault of a workman that he gets a wage less than Rs. 10, and he should not be disenfranchised on the ground that his wage is less than Rs. 10.

Then, Sir, the Committee has suggested that in order that the weight to be given to each Union should be decided properly, a Tribunal should be set up to decide what is the weight to be given to each Union. The Committee has also suggested that in order that the Tribunal should be able to judge the strength of each Union, the Trade Union Act should be amended. My view is that the Trade Union Act need not be amended at all. If the Tribunal wants information regarding the details of a Trade Union, the Tribunal should be empowered to call for such information as is necessary from the Trade Unions. Under the present law the Registrars of Trade Unions do not possess any power to inspect the registers or the accounts of the Trade Unions, and I do not know why for purposes of elections the Registrars of Trade Unions should be given power which they do not possess under the present law. It should be quite enough if the Tribunals to be set up are empowered for the purpose of elections to secure whatever information the Tribunal requires from the Trade Unions. If the Trade Unions are not in a position to give information to the Tribunals, those Trade Unions will suffer.

Then, Sir, I wish to say a word or two about the proposals which the Committee has made for the filling of seats in different provinces. I have already said, Sir, that in Bombay the Committee has suggested that the two seats to be given to that province should be filled through Trade Union Organizations, but there too the Committee has not suggested that all the registered Trade Unions in the Province should be entitled to take part in the elections. I suggest that that defect should be removed. Then in Bengal, out of two seats, they have suggested that one seat should be filled by Trade Unions and one by special labour constituency. In Bengal there are about 46 Trade Unions, and the number of members is 79,000. I do not, therefore, understand, why both the seats should not be filled through the Trade Union Constituency. Similarly in Madars a special labour constituency. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only one minute more.

Mr. N. M. Joshi: I did not know that there was time limit of 15 minutes for the discussion.

Mr. President (The Honourable Sir Abdur Rahim): It is a Resolution.

Mr. N. M. Joshi: I ask for your indulgence. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is speaking on the amendment which is to refer the Resolution to a Committee.

Mr. N. M. Joshi: I would, therefore, Sir, with your permission, summarise my proposals and leave them before the House. My proposals as summarised are these:

(1) That the election for all the provincial seats except in Assam be through Trade Union constituencies.

(2) That the constituencies should not be restricted to Trade Unions in some industries only but should include Unions in all industries.

(3) That the scheme for the representation of workers in the different industries as proposed by the National Trades Union Federation and reproduced on pages 243, 244 in para. 674 of the Report be adopted.

(4) That the railwaymen residing in a province other than the province in which their Union is registered should be enfranchised in the province in which they reside for Trade Union constituencies and also for special labour constituencies where such are created.

(5) That no minimum limit of wage be imposed for the enfranchisement of the workers.

(6) That the Trade Union Act shall not be amended but the tribunal to be appointed to assess the membership of a Trade Union be authorised to examine registers and account books for the purpose of the elections.

(7) (a) That as regards the proposals for labour representation in Assam the enfranchisement shall not be restricted only to certain castes or tribes but shall extend to all workers on the plantations, whether residing therein or not.

(b) The franchise shall also be extended to workers in other industries such as railways, mines, oilfields, etc.

(c) That the right of candidature shall not be restricted to certain castes or tribes.

(d) That sardars and other members of the recruiting or supervisory staff shall be disqualified from being candidates.

(e) That members of Trade Unions including their officials situated in Assam, Bengal, Bihar or Orissa shall be permitted to be candidates.

(8) The preparation of the electoral roll shall not be left to the employer, whether the manager of a railway or a mine or a factory, but shall be undertaken by the Government.

Before I close, I wish to say a word on this last suggestion. It is a wrong thing to permit the employer to prepare the electoral roll. Moreover, how can an employer of one factory prepare an electoral roll for a Trade Union which has members in different factories? I think, Sir, if the Government of India will give their attention to this suggestion they will find that the suggestion is very impracticable. I hope, Sir, that my suggestions will be accepted both by the Government of India and the British Parliament.

Dr. P. N. Banerjee: Although we are not entitled to discuss questions of fundamental importance, such as the composition of the Legislatures and qualifications for franchise for election to the Provincial as well as the Federal Legislature, there are some important points which we might discuss on the present occasion. One of these important points is the character of the vote to be given in plural-member constituencies. It is proposed

by the Delimitation Committee that there should be the cumulative vote. Now, what is the effect of this vote on the electorate? It seems to me that the effect of this vote is to create separatist tendencies and to prevent harmony among the different groups which constitute the electorate. I am glad, therefore, that my Honourable friend, Rao Bahadur M. C. Rajah, has given notice of an amendment to the effect that the distributive vote be substituted for the cumulative vote. I am particularly glad because the Delimitation Committee seems to be under the impression that the cumulative vote will help the Depressed Classes, i.e., the members of the scheduled castes.

Then, Sir, another question is, what is the meaning of the term "a panel of four" with reference to the primary election? After discussing various aspects of the question, the Delimitation Committee come to the conclusion that the term means neither maximum nor minimum, but optimum. What is meant by optimum is made clear by them in these words:

"The Government view is that the number four is neither the maximum nor a minimum but an optimum. It is desirable that there should be five or more candidates at the primary election but it is in no wise compulsory. If there is only one candidate as the result of primary election or on account of subsequent withdrawals the candidate should be returned unopposed for the reserved seat at the final election."

If this be the meaning of the term "a panel of four members", what is the difference between this system and a separate electorate?

Was this the thing for which Mahatma Gandhi was prepared to lay down his life by fasting unto death? Sir, I do not think the interpretation given to this term is the correct one.

I come next to the universities. It is recommended by the Hammond Committee that the electorate should consist of members of the Senate or Court (as the case may be) and of "graduates of not less than seven years' standing who are registered". Now this term 'registered' has given rise to a great deal of confusion and the result is that in the different university electorates we find curiously different numbers of voters. For instance, in Madras, we find that the number of electors will be 10,000, in Bombay, 4,500, Allahabad, Lucknow and Agra, 1,700, Punjab, 1,300, Patna, 639, Nagpur, 140, Dacca, 2,350, Calcutta, only 350. Now, why should there be such a limited number of voters in the Calcutta University constituency? The Calcutta University is the oldest of the universities of India and it has the largest number of graduates on its roll. Why, then, should this constituency be so small, namely, consisting of 350 votes? Well, Sir, the reason is to be found in the fact that this term 'registered' has been misunderstood by the Government of Bengal. Registration may be for two purposes. First, it may be for the election of Fellows of the University of Calcutta, in which case the person who wishes to be registered has to pay an admission fee of Rs. 10 and an annual fee of Rs. 10. Besides, if the graduate has not registered himself when he became first eligible, he has to pay a fine of Rs. 30. Now, it is very difficult for an ordinary graduate to pay Rs. 30 in the beginning and continue to pay Rs. 10 every year in order to be a registered graduate. In the other provinces, I believe, registration has been understood in a different sense, namely, registration for the purpose of election to the Provincial Legislature. Well, I happen to be a registered graduate of the University of London, and I am entitled to vote at Parliamentary elections; but I am

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not required to pay a fee every year. I do not think it is reasonable to restrict the franchise to such a small number of persons who pay their fees annually. Then there is another difficulty. It is said in the report that those only will be qualified to vote who were on the register during the previous academic year. The academic year in the Calcutta University begins on the 1st of June. It means, therefore, that only those who will have registered themselves before the 31st May next will be entitled to put themselves on this limited register. That also will create a great deal of hardship, for very little time is left for people to be on the register. As regards the present practice, I may inform the House that the Calcutta University constituency has on its roll something like 11,000 or 12,000 voters. My Honourable friend, Mr. Amarendra Nath Chattopadhyaya, who belongs to that constituency, has come here on that qualification; but as soon as the new meaning of the term "registered" will be accepted, he will cease to have that qualification. This, Sir, is an anomaly which ought to be set right. And what is the object in creating such a pocket borough? Do the Government consider that they will have as a representative of the Calcutta University a person on whom they can always rely? Government commands eighty per cent. of the votes in the Senate, because eighty per cent. of the Members of the Senate are Nominated Members. Sir, unless this anomaly is removed, I am afraid it will be said that the Government want to have not only safe Members but Members of practically their own choice. Well, there are several other pocket boroughs in Bengal, and why do they want to add to that number? Is it because Government want to have an administration composed of persons on whom they can fully depend? I want an answer to this question.

Another question which should receive consideration at the hands of the Committee as well as of this House is that of the plantation labour seats. Jalpaiguri is an Excluded Area, but for purposes of the labour seat it is included, because it is said in the Report that the planters do not object. Well, do they want to send a planters' man to the Legislature?

I fully agree with my Honourable friend, Mr. Joshi, in regard to the labour franchise and I hope his suggestion will be accepted by the Committee and the Government.

Lastly, coming to the commerce constituency, I find a grave injustice has been done to one of the bodies which has been enjoying its seat for the last fifteen years,—I mean the Bengal Mahajan Sabha. This body has been in existence for quite a large number of years and it has done a fairly good amount of work. The Bengal Government as well as the Provincial Advisory Committee recommended that this body should continue to enjoy its seat, but the Delimitation Committee has recommended the cutting out of this body and the substitution for it of the Indian Chamber of Commerce. Sir, these are very important questions which I hope the Committee that is to be appointed will consider and I hope also the Government will accept our suggestions.

Rao Bahadur M. C. Bajaj (Nominated Non-Official): Sir, I wish to speak on the motion, and, in doing so, I wish to confine my attention to the system of voting. The Committee in their Report have discussed the methods of voting in paragraphs 45 to 52. The methods considered are (1) the single non-transferable voting, (2) the distributive voting and (3)

the cumulative voting, and the Committee in paragraph 283 give their recommendations. In paragraph 283 they say:

"Two provinces strongly recommended the use of the single non-transferable vote, not only, in the primary election, as agreed on in the Poona Pact, but also in the final election. Our view is, as stated in paragraph 46 above, that this runs counter, at any rate, to the spirit of the Pact, the essence of which is combination and mutual exchange, combined, we submit, with the freedom of the elector and, so far as is possible, the protection of minorities. We, therefore, recommend the use of the cumulative vote, the elector being allowed at the final election to divide or to combine his two votes."

And, with regard to the single non-transferable vote, in paragraph 46 of the Report, they reject this system of voting. They say:

"As a result, however, we have reached the unhesitating conclusion that, whatever the merits of the single non-transferable vote as an electoral device, and, however convenient it may be for administrative purposes, its adoption at final elections, in constituencies in which seats are reserved for the scheduled castes, would be contrary to the spirit of the Poona Pact. . . . We may add that the objections of principle which we see to the adoption of this method of voting in the case of the scheduled caste constituencies, are shared by representative members alike of the caste Hindus and of the scheduled castes."

So, Sir, the Committee finally recommends the cumulative system of voting.

Before I proceed further, I should like to examine rapidly the evidence tendered by the representatives of the Depressed Classes who appeared before this Committee and that is in volume III. Let me first of all take the evidence of Rao Bahadur R. Srinivasan who is now a Diwan Bahadur. This is on page 59. I suppose the House knows that Diwan Bahadur Srinivasan was one of those nominated to represent the Depressed Classes on the Round Table Conference and his view is this: he recommends the system of the single non-transferable vote and condemns the system of cumulative voting, for he says that there would be more chance of corruption in it than if it is distributive. Then taking next the evidence of Dr. Ambedkar which is on page 65, he recommends the system of cumulative voting. But he evidently speaks only for the Bombay Presidency, for in reply to a question put by the Chairman he says definitely that he does not know about other provinces. Next, Sir, there is the evidence of Mr. A. V. Thakkar on page 61. He may be taken to represent fairly the views of both the sections—the caste Hindus and the Depressed Classes—and he advocates the system of distributive voting. Then, Sir, there is another piece of evidence, rather of joint evidence, on page 57, of three gentlemen. They evidently advocate the cumulative system of voting and their idea is that they want plumping. That you will see, Sir, if you read the evidence. These gentlemen dislike the distributive system of voting because they say that they have had the advantage of working it all these fifteen years and found that it was not beneficial to them. Now this is a misstatement of facts, as there is no reservation of seats for the Scheduled Castes under the existing constitution. They have absolutely no experience of Local Boards election in my province, nor any of them at any time during the past seven years the present Local Boards Act has been in operation, where seats for Scheduled Castes are reserved in joint electorates with the distributive method of voting, any of them stood for any of these elections. They prefer cumulative voting for the mere reason that they want plumping. This is really at the back of their mind.

[Rao Bahadur M. C. Rajah.]

Plumping, Sir, is against the essence of the Poona Pact. Then, Sir, the other evidence is that in a note of dissent by the Honourable Babu Nirsu Narayan Sinha printed in the Report under Scheduled Castes Evidence. He represented the Depressed Classes of Bihar and Orissa and he definitely says that he is for the distributive system of voting. And then there is another letter from the Central Provinces and Berar Depressed Classes Federation of Nagpur. That Association advocates the single non-transferable vote; and then, Sir, next comes the note by Rai Sahib Senapati, a nominated member of the Assam Council and a pioneer of the Depressed Class workers in the province. He was also a member of the Assam Delimitation Committee. Mr. Senapati recognises distributive system of voting. My evidence is found on page 51 and I there advocated the distributive system of voting.

Apart from this evidence, let me quote the opinion of Rao Sahib V. I. Muniswami Pillai, a nominated Member of the Madras Legislative Council who advocates the system of distributive voting. Then, Sir, there is the opinion of Swami Sahajananda who is another nominated Member of the Madras Legislative Council, he also advocates the system of distributive voting. These two gentlemen, Rai Sahib Muniswami Pillai and Swami Sahajananda are also the elected Members of local bodies and municipal councils and they have ample experience of local board elections where the system of distributive voting is in practice. Another Member, Rao Sahib L. C. Guruswami also a nominated Member of the Madras Legislative Council, and a member of the Madras Delimitation Committee, also advocates the system of distributive voting.

Coming to the Central Provinces, Mr. G. A. Gavai, the veteran leader of the Scheduled Castes of that Province and the General Secretary of the All-India Depressed Classes Association and a nominated Member of the Central Provinces Legislative Council ever since the inauguration of the Montagu-Chelmsford reforms, also advocates distributive system of voting. He was also a Member of the Central Provinces Delimitation Committee. I can quote many more persons who are all leading members of my community and who are all in favour of the distributive system of voting. In spite of this overwhelming evidence in support of the distributive system of voting, the Committee say in paragraph 51 of their Report that the cumulative system of voting has the support of representative leaders of the Scheduled Castes. The Committee themselves point out in paragraph 284 of their Report, that the essence of the Poona Pact lies in the joint electorate. In paragraph 275 of the Report referring to the objects of the Poona Pact, the Committee say:

"It is generally admitted that the object of this agreement was two-fold. First to advance and safeguard the interests of the Depressed Classes, and secondly, to prevent any division in the Hindu community."

Now, the question is, does this system of cumulative voting unite the two sections of the community and preserve the Hindu solidarity by keeping the Depressed Classes within the general constituency? Does the cumulative system of voting make the caste Hindus and the Scheduled Castes vote together in the multi-member constituencies thereby compelling candidates to consider the well-being of both sections of their constituents when appealing for their support? The answer is a definite, no. The

Poona Pact indicates joint electorate which means that both the caste Hindus and the Depressed Class voters should be in a position to vote for both the caste Hindu and the Scheduled Caste candidates. (Hear, hear.) The Committee says that the single non-transferable vote is against the spirit of the Poona Pact. Yes, it is so. If that is the objection, then the same objection holds good for the cumulative vote also and that with greater force because it may be expected that the caste Hindu will plump all his votes in favour of a caste Hindu candidate. Instead of giving one vote to one candidate, he will now give more votes to him. And, it should be noted that this will prevent a caste Hindu candidate from appealing to the Scheduled Caste voter and thus there will be no approach and no interdependence between these two communities. It would thus defeat the very object of the Poona Pact and in effect deprive the caste Hindus of their voice in the elections of the Scheduled Caste candidates and the Scheduled Castes of their voice in the elections of the caste Hindu candidates and restore the state of affairs which it was the object of the Pact to alter. The method of voting suggested by the Committee cuts at the very root of the Poona Pact and instead of bringing about the unification of all classes, it will tend to disintegrate the Hindu Community.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has two minutes more.

Rao Bahadur M. C. Rajah: I am the only representative of my community in this House, and I, therefore, request you, Sir, to give me some more time.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member will have time enough if this goes to the Committee.

Rao Bahadur M. C. Rajah: Well, Sir, what is this system of cumulative voting? It is nothing but a concentration of communal votes in favour of the communal candidates. We must wean away the voters from the communal habit of heaping up all their votes on one particular candidate and get them to vote for different candidates and thus should prevent the accumulation of votes in the hands of one community. This system of voting will give free scope for class partiality which will inevitably lead to inter-communal dislikes and hatred. It will easily prevent the Scheduled Caste voters from exercising their votes in favour of their own candidate, as they are in rural areas mostly agricultural labourers working under landlords who are caste Hindus. Thus rivalry will be set up between the caste Hindu candidates on the one hand and the Scheduled Caste candidates on the other and it will unnecessarily create bad blood in them.

Cumulative system of voting will enable a rich man to buy up all the votes and thus will lead to corruption. This is the most pernicious system of exercising the franchise, inasmuch as a candidate will be permitted not only to canvass for one vote but also for more than one vote, for as many votes as a voter can give and thus it will lend itself to new forms of corruption.

The cumulative system of voting will be disastrous. It is certainly not in accordance with the Poona Pact. It will perpetually keep the two communities further apart and the enormous amount of work so far done by the caste Hindus and also the leaders of the Scheduled Castes to bring

[Rao Bahadur M. C. Rajah.]

together the two communities will be completely wasted and besides will nullify any further efforts that may be made to bring the two communities together. Moreover, cumulative voting militates against the rectitude of a sound and democratic system of representation. The distributive system of voting is best suited for us.

Before I conclude I wish to draw the attention of the House to para. 3 P.M. 281 of the Report where they say

"The number of four is neither a maximum nor a minimum but an optimum. It is desirable that there should be five or more candidates at the primary election, but it is in no wise compulsory. Executive orders might well be issued to District Officers to encourage and facilitate candidature, where this was thought necessary."

Sir, I fail to see the wisdom of the authors of this Report in giving this suggestion. This is improper and inconsistent with the principles of democracy. It is none of the business of the District Officers to run their own candidates. It is the sole business of the community and of the Depressed Classes Association of the various Provinces and of the Parties. If leading members of the Scheduled Castes stand for these seats and if they are not contested, why should they be opposed at all by other second rate men? If executive officers take up the job, then in order to justify the nomination of a particular candidate, they will have to take up the work of election agents. It implies that the executive officers will actively lend their support to their particular nominees, exercising their authority and influence in their favour and compelling others to vote for the particular candidates set up by them. The executive officers might even defray election expenses. This is the very negation of democracy and it will have a thoroughly demoralising effect on the elections.

If this suggestion of the Committee is accepted it will be a great disaster to the Scheduled Castes and it will destroy the existing organisation of the Scheduled Castes in this country. All the Associations, *Sabhas* and societies which have been working for the amelioration of Depressed Classes will be adversely affected. This suggestion should be rejected. Sir, I support the motion and in doing so, I advocate the distributive method of voting in plural member constituencies, as it will ensure the return of the best and the ablest representative of the Scheduled Caste.

Lieut.-Colonel Sir Henry Gidney: Sir, I have very few remarks to make as far as my community is concerned on this report, and I hope the Honourable Member will give his attention to them. From a perusal of the Joint Parliamentary Committee Report, Part I, Volume II, Honourable Members will find in Appendix III on page 347, it is recommended that the community's vote should be taken by postal ballot. I am not in a position to say what the Local Governments recommended to the Delimitation Committee. But I do know that, at least, in Bengal and—indeed—I know well that in my representations to the Joint Parliamentary Committee, speaking on behalf of my community, I advocated, for various reasons, a postal voting system. The Anglo-Indian community is today represented in the various Legislatures as follows: By direct election in Bengal, by postal ballot in Madras. In all other Provinces, including the Legislative Assembly, we are nominated.

A reference to the Delimitation Report shows that, against the recommendation of the Joint Parliamentary Committee and the recommendation

from the community which asked for postal ballot, it has recommended a mixed system of voting. For instance, for Bombay it has recommended that the urban and suburban areas of Bombay City should have a direct system of election and the other parts of the Presidency, which have been given one seat, should have a partially direct system of election. In Bengal, against the advice and the recommendation of the community and the Joint Parliamentary Committee, this Committee recommended direct election for that part of the community resident in Calcutta who live in compact areas and the postal system in the urban parts of Bengal Presidency. Direct election has been recommended for the Punjab.

Now, Sir, the main object for which I stress this point is that I want the entire qualified community to be given the right to exercise its vote. My experience of conducting election campaigns for my community has shown me clearly that, if the direct system of election is carried out, at least half of the community is denied a chance of exercising the vote, and I will tell the Honourable Member why. The Honourable Member must be aware of the fact that the majority of my community who have a vote are employed in the all-India services, particularly Telegraphs, Railways and Customs; and it will be obvious to him as I have repeatedly pointed out to Government, that on any day on which elections take place at least half of them will be on the line working and unable to exercise the vote. It is for this reason that during the 1926 Bengal election, I asked that two days should be given for voting; and it was for this reason and this reason alone that, in my memorandum to the Joint Parliamentary Committee and the other recommendations that I had the honour of making, I asked that our votes should be taken by the postal system. Instead what do we find? We find this Committee, not entirely throwing away my advice, nor ignoring the recommendations entirely, but on some information given to them outside our advice, have divided the system of voting and in doing so, they have certainly deprived the community of at least half its voting numbers. I would ask the Honourable Member, who I suppose will submit this discussion to the Secretary of State, to take note of this small request of mine which I make on behalf of a community which is really anxious to enjoy a full measure of franchise and so play its part in the development of this country.

I have two more points to mention. One point refers to a matter concerning a very large portion of the community I represent. It is that part of the community that lives in assigned areas or tracts under political control. For instance, I take the case of Bangalore. In Bangalore we have thousands of the community who are living in an assigned area and because of this misfortune they are denied the right to vote or any participation in the franchise of the country. The other point relates to Karachi. Karachi, which will come under the new province of Sind, has had the formation of its Legislative Council announced. As far as my community is concerned, I know it is a small community, but it has played and is playing today a very important part in the development of that port and in the civic life of that city and province. And, although repeated requests have been made, may be late, may be too late, no notice has been taken and the community today has not got a voice in the province of Sind in which there are several thousands of the community. There are also scattered over this province sections of the community employed in Railways, Telegraphs, etc. My suggestion to the Honourable Member is this and I hope means will be found for the representation of the community in the local Assembly and so enable them to have a vote

[Lieut.-Colonel Sir Henry Gidney.]

in matters of legislation affecting the province in which they live. (Interruption by Mr. Lalchand Navalrai). They at least belong to a distinct community whereas my friend Mr. Lalchand Navalrai does not belong to any community except to call himself a Sindhi. Moreover, the absence of any representation in the Provincial Assembly automatically deprives the community in this province of the franchise in electing its member for the Federal Assembly. I understand that the community in Sind has made a suggestion to Government analogous to the method adopted in the case of women in Sind, to the effect that the community's votes should be compiled together and all such voters be allowed to vote in one constituency—say the "South Karachi Constituency". By this means they will be able to influence the voting of at least one seat in the Provincial Assembly, whereas if they are allowed to vote as it is at present contemplated, in the constituency in which they are resident, being widely distributed, they will never be able to make their voice felt, much less return one of their own numbers. I hope the Honourable Member will take note of what I have suggested. It is a very small matter but I am sure he will see his way favourably to report on this to the proper authorities.

Sir, there is one other matter to which I wish to refer; I refer to the four seats that have been allotted to the community in the Federal Assembly and the one seat in the Council of State. A reference to the Government of India Act will show that these four seats are allotted to Bengal, Madras, Bombay and the United Provinces. The other five provinces are not considered at all which means that about 50 per cent. or nearly so, of the community who reside in these provinces are disenfranchised. These four seats are to be chosen by an electoral college consisting of the Anglo-Indian members of the Provincial Legislatures of the seven provinces. Now these seven provinces in which we have been given a total of twelve representatives will together, as the electoral college, choose these four seats for the Federal Assembly. I cannot understand why Government has ordained that, while the seven provinces are given the right to choose these four seats, none but qualified residents in only these 4 Provinces can be chosen. That is to say that, though Anglo-Indian members on the Punjab, Bihar and Orissa, Central Provinces, etc., will have the privilege of choosing four members for the Federal Assembly, they will not have the right to sit on it themselves. I, therefore, ask the Honourable Member to be so good as to recommend to the proper authorities the following suggestion which I have more than once made both to the Government of India and to the Joint Parliamentary Committee:—I appeal to Government, when making their recommendations on the report of the Indian Delimitation Committee, that they will consider the advisability of redistributing the four seats allocated to the community in the Federal Legislature somewhat as follows: The seat for Bengal to include Assam, and Bihar and Orissa; the seat for Bombay to include Sind, Baluchistan, the Central Provinces, Central India and Rajputana; the seat for Madras to include Bangalore and other assigned territories in the South, and the seat for the United Provinces to include the Punjab, the North-West Frontier Province and Delhi. This will enable members of the community resident in any part of India to stand for and be elected a representative of the community in the Federal Assembly. I am grateful for what has been given the community. All I am asking in addition is, that the four representatives should be truly representative of the whole community in India and not a half of it.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only one minute more.

Lt.-Colonel Sir Henry Gidney: I have finished. In support of my demand I may say that other minority communities in almost every province—at least in seven provinces—have a separate seat in the Federal Legislature except the Anglo-Indian. Most of them have seats in seven provinces. My community which is small has four seats. We are satisfied. All we want is that the seven or eight provinces in India should be allowed not only to vote for these four seats but should also be allowed to stand for election.

One more point, and I have done. The one representative of the Anglo-Indian community in the Council of State is chosen by the same electoral college. But the anomalous part of it is this. Whereas, for the Federal Assembly, the choice of the four seats is confined to the four Provinces I have mentioned, the representative of the community on the Council of State, whilst being chosen by the same electoral college, can be selected and chosen from any province in India. If the whole community is given the honour and privilege of selecting its member for the Council of State from any part of India, I do hope that the Honourable Member will see the reasonableness of my demand and recommend that we be given the same privilege for the four seats that we have been given in the Federal Assembly.

Sir Cowasji Jehangir: Mr. President, coming back to the amendment moved by my Honourable friend, Pandit Govind Ballabh Pant, I understand that some arrangement has now been arrived at whereby some time will be given for the discussion of the Committee's report. If my understanding is correct, I have nothing further to say except to ask the Mover of the Resolution to accept three more names: Sir Muhammad Yakub, who served on the Lothian Committee, Mr. Muhammad Nauman, who represents commerce in the Northern India, and Mr. K. L. Gauba from the Punjab. I think that this Committee ought to be as representative as possible, and I trust that the Mover of the Resolution will accept these three names. I also trust that the debate may now come to a conclusion: I am not going to move for the closure or anything of the sort, but since a Committee is to be appointed and will report to this Honourable House, everybody will have another opportunity of having their say.

Sir Ghulam Hussain Hidayatallah (Sind Jagirdars and Zamindars: Landholders): Sir, I appeal to the Mover of the amendment to consider the question of the representation of rural areas on this Committee. All the names, that were read out, are representative, either of commerce or of the cities. (*Several Honourable Members*: "Hear, hear.") The representatives of the landlords or of the rural areas do not find any place on the Committee. I, therefore, appeal to him that he must amend his proposal; otherwise, I shall oppose it.

Sir Cowasji Jehangir: I have proposed Sir Muhammad Yakub as a representative for the rural areas.

Mr. O. H. Witherington (Assam: European): Sir, the only reason I wish to say a few words on this motion is to express my strong opposition to the views put forward just now by my Honourable friend, Mr. Joshi.

[Mr. C. H. Witherington.]

That is the only point on which I wish to speak now. It will only take three minutes. Mr. Joshi proposes that for the Assam labour seats the list of castes which are scheduled and which are a necessary qualification for a voter and for a candidate for both the Federal Assembly and for the Provincial Assembly should be eliminated. I am definitely against that. I am not altogether in favour of the proposals which have been made by the Hammond Committee in regard to labour representation, but if I have any preference at all, I have preference for the recommendations put forward by the Hammond Committee rather than for those put forward by Mr. Joshi.

Mr. N. M. Joshi: The employers' voice cannot count in this matter.

Mr. C. H. Witherington: Then, again, as I understood him, he favours the view that members from any Trade Union outside Assam should be allowed to stand as labour candidates. There also I join issue with him. The evidence given before the Hammond Committee by those who, by their experience, were best qualified to form a proper judgment in the interests of the labourers and of the industry explains very clearly that it would be most unwise to have Trade Union representatives from other provinces to hold those labour seats. I will also read an extract of what the representative of the tea industry stated in the Assam Legislative Council, which Members will find on page 204 of Volume I of the Delimitation Committee's report:

"In any case the tea industry has no objection to labour representation by responsible and reputable organised and registered trade unions. But what they do object to, and what they will oppose to the utmost of their power, is labour representation by irresponsible and seditious organisations and associations, formed and run by political aspirants for power, with no labour qualification, ostensibly for the benefit of labour, but actually for the purpose of causing labour troubles and for their own glorification."

That, Sir, puts it in a nutshell. The point I want to make clear is that, if representation is to be true and proper representation, those who represent the Assam labour constituencies in the Legislatures must be in the very closest contact with those whom they represent, they should be fully aware of, and be practised in, the difficulties which labour may have to contend with and they should be of the same caste and should have the fullest experience of tea garden matters. I ask, Sir, how on earth can a Trade Union member from Bengal or Bihar and Orissa or elsewhere have any experience of Assam tea garden conditions? What we want to exclude is the agitator, and we wish to have labour in the tea gardens represented by men who are in the closest contact with labour.

That is all I wish to say at present. I want to make it very clear that I do not agree with Mr. Joshi. I hope that, later on, I shall have the opportunity of discussing this matter in greater detail.

Mr. President (The Honourable Sir Abdur Rahim): Does the Mover of the amendment agree to adding the three names that have been given, Sir Muhammad Yakub, Mr. Muhammad Nauman and Mr. K. L. Gauba?

Pandit Govind Ballabh Pant: I have no objection, Sir.

Lieut.-Colonel Sir Henry Gidney: May I propose the addition of the name of Sir Ghulam Hussain Hidayatallah?

Mr. President (The Honourable Sir Abdur Rahim): Does the Mover object?

Pandit Govind Ballabh Pant: I do not object to anything, Sir.

Mr. President (The Honourable Sir Abdur Rahim): Does any Honourable Member take any objection to these names being added?

(No objection was taken.)

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That for the words 'be taken into consideration' the following be substituted:

'be referred to a Committee consisting of Mr. Bhulabhai J. Desai, Mr. S. Satyamurti, Mr. M. Asaf Ali, Sir Cowasji Jehangir, Mr. M. A. Jinnah, Mr. Abdul Matin Chaudhury, Mr. M. S. Aney, Sardar Mangal Singh, Sir Leslie Hudson, Mr. Mathuradas Vissanji, Rao Bahadur M. C. Rajah, Mr. N. M. Joshi, Mr. Akhil Chandra Datta, Pandit Nilakantha Das, Lieut.-Colonel Sir Henry Gidney, Sir Muhammad Yakub, Mr. Muhammad Nauman, Mr. K. L. Gauba, Sir Ghulam Hassan Hidayatallah, and the Mover, with instructions to submit their report before the 18th March, 1936, and that the Chairman of the Committee will be Mr. Akhil Chandra Datta, and that the presence of seven Members will constitute a quorum for the Committee'."

The motion was adopted.

RESOLUTION RE NON-RATIFICATION OF DRAFT CONVENTION CONCERNING THE HOURS OF WORK.

The Honourable Sir Frank Noyce (Member for Industries and Labour): Sir, I would, first of all, ask your permission to move the first two Resolutions that stand in my name together: they are very closely connected, and, I think, it would shorten discussion if I moved them together

Mr. President (The Honourable Sir Abdur Rahim): They will have to be put separately to the House unless the Honourable Member wishes to join them in any way: they are separate subjects.

The Honourable Sir Frank Noyce: If that is so, I will move the first Resolution, and, if I may, discuss the two together. I move:

"That this Assembly, having considered the draft Convention adopted by the Nineteenth Session of the International Labour Conference concerning the reduction of hours of work to 40 a week, recommends to the Governor General in Council that he do not ratify the Convention."

Sir, it is hardly a matter of satisfaction to me to have to move no less than four Resolutions on the same day, asking this House to refuse ratification of draft Conventions adopted by the International Labour Conference

Mr. President (The Honourable Sir Abdur Rahim): There is an amendment to the first Resolution: there are no amendments to the others. The Chair will permit the Honourable Member to move the other Resolutions also and then it will put them separately to the House. The Chair will put this one first and the Honourable Member can speak on all the others.

The Honourable Sir Frank Noyce: On the first two, Sir?

Mr. President (The Honourable Sir Abdur Rahim): They are on separate subject matters.

The Honourable Sir Frank Noyce: The first two are very closely connected. The first is general; the second is an application of the first.

Mr. President (The Honourable Sir Abdur Rahim): The next is coal mines: they are all separate subjects: the Honourable Member had better go on with the first.

The Honourable Sir Frank Noyce: As I was saying, it is no satisfaction to me to have to ask this House to refuse to ratify no less than four draft Conventions adopted by the Nineteenth Session of the International Labour Conference. India has, as those Members of this House, who were present at a recent meeting, were told, a good record in the matter of adoption of labour Conventions. As the speaker at that meeting, himself a representative of the League of Nations, pointed out, India has adopted no less than 14 Conventions. Up to the beginning of last year, Great Britain had adopted 18, France 17 and Japan 12. The fact of the matter is that, as Mr. Clow stated in this House last year, when we were dealing with a Convention somewhat similar in character to the second one on the list of business today, we have been pursuing here a very solid programme of labour legislation—rather too solid a programme to satisfy some of my Honourable friends on the Central Benches,—but unfortunately, as it happens, our programme has differed recently on very many points from the programme that Geneva has been following. That departure has never been more marked than in regard to the Resolutions regarding the draft Conventions which I am asking the House to discuss this afternoon. Indeed, I cannot help thinking that the time has already come or is rapidly approaching when our procedure in dealing with draft Conventions should be somewhat different from what it has been in the past. It has been our practice, hitherto, to bring Conventions before the Assembly in the form of Resolutions, but our procedure in this respect, which does not appear to be the same as a number of other countries, is perhaps in some respects not ideal. For one thing, the number of Conventions adopted by the International Labour Conference has recently shown a marked tendency to increase. I find, on looking up the records, that during the last three years, the International Labour Conference has passed no less than 16 draft Conventions, whereas, between 1926 and 1932 no Conference adopted more than two. Further, a considerable number of Conventions in recent years have had very little practical relation to conditions in India. Finally, the demands on the time of this House in other directions have been steadily increasing. But I do not think I need apologise to the House for bringing forward at least the first of these Conventions, because, whatever view may be held on its merits, it deals with a subject of very great importance. The proposals embodied in it represent the outcome of a very large amount of deliberation at Geneva and it has attracted a wide amount of international interest. My excuse, Sir, for asking you to allow me to deal with the first two Conventions on the list together is that the first and much the most important of them all is directly related to the second in that the former lays down the principle . . .

Mr. President (The Honourable Sir Abdur Rahim): The Chair has allowed the Honourable Member to move only the first: perhaps the Chair did not make itself quite clear.

The Honourable Sir Frank Noyce: I am sorry if I have transgressed: at any rate, I may perhaps be permitted to explain to the House that the first Resolution is directly related to the second, in that it lays down the principle, while the latter represents its application to a particular case; and I will deal with that particular application more specifically later. The Convention with which the Resolution deals is extremely simple in form consisting as it does of only one operative Article. The principle which the Convention enunciates, if it is a principle at all, is clear, and that is that there should be a 40-hour week, and that this should be so introduced that the workers' standard of living is not adversely affected. The Convention is so short that I may perhaps read it to the House. It runs as follows:

"Each Member of the International Labour Organization which ratifies this Convention declares its approval of:

- (a) the principle of a 40-hour week applied in such a manner that the standard of living is not reduced in consequence, and
- (b) the taking or facilitating of such measures as may be judged appropriately to secure this end;

and undertakes to apply this principle to classes of employment in accordance with the general provisions to be prescribed by such separate conventions as are ratified by that Member."

As the House will see, the importance of the draft Convention is hardly commensurate with its length.

Well, Sir, the word "principle" is an inadequate translation of *principle* meaning a general guiding rule. It would be very hard to affirm that there can be any such principle as that the week should be of a particular length, because the suitable length of the working week must obviously be a matter of judgment rather of principle. I maintain, Sir, that so far as this so-called principle is concerned, its application is obviously impossible in India. I doubt if it is possible anywhere except in exceptional industries and in exceptional circumstances, but that is perhaps hardly our concern today. Whilst, however, it is arguable that unemployment would be substantially relieved by spreading employment with a corresponding reduction in wages, a system which involves in most countries a large reduction of hours in particular industries where wages remained the same would seem to be doomed to failure. For this involves putting up the price of particular commodities substantially, while the general price level is not substantially affected. In other words, those who buy commodities will have nothing more to buy them with although they will cost more, and the result must be a substantial diminution in the demand for articles and consequent further unemployment. Whatever, Sir, may be the position elsewhere, the effect in India is quite certain. I am sorry, Sir, I have to refer to the second Resolution again, but it does provide me with a specific instance in support of my argument. Take the manufacture of glass bottles which at present is presumably conducted on a 56-hour week. If the hours there are reduced by 25 per cent. to 42, a slight gain in production per hour might result, but it could not possibly be expected to amount to anything like 25 per cent. In consequence, if it were possible to enforce the provision, regarding wages, there would have to be a great increase in the cost of the articles produced. Further, Sir,—and this is a most important point,—how is this maintenance of standard of living to be enforced? It would theoretically be possible to prescribe that the wages now being paid per shift of eight hours should remain the same on a

[Sir Frank Noyce.]

six-hours basis, but how long is the owner to be compelled to maintain the existing rate? If, as is certain, he finds that his markets will be gradually curtailed if he does not get a reduction in wages, is he to be precluded for all time from seeking that reduction? It is clear that a reduction at present, on the conditions stated, is utterly impracticable on any large scale, and could only be applied in particular industries if the State were willing to subsidise the industries at the expense of the taxpayer. I have no doubt, Sir, that my friend, Mr. Joshi, when he moves his amendment, will argue that although the immediate reduction to 40-hours a week may be impracticable, we should ratify the Convention and move in that direction. It is true that the acceptance of a principle does not necessarily mean its immediate and universal application, but clause (b) of Article 1 has to be read with the words which follow which are in each case "to apply this principle to classes of employment in accordance with the detailed provisions to be prescribed by such separate Conventions as are ratified by that Member". While, Sir, in theory this leaves it open to country ratifying the Convention to decline to ratify any further Conventions, such a procedure would be entirely inconsistent with the acceptance of the principle. And I would suggest that the only consistent line would be to accept the subsequent Conventions except where in particular cases there were special reasons for declining to do so. It would not, in my view, which I trust will also be the view of the House, be consistent with the spirit of the Convention, and it would, I think, be doubtfully consistent even with the letter of it to accept it, and then state that we would be content for an indefinite period with a 48-hour week. Even a reduction to a 48-hour week is not at present practicable. I would remind the House, Sir,—and I cannot too strongly emphasise the fact,—that we have recently made reductions of hours in both factories and mines, and the dislocation involved in any further reduction at this stage would be injurious both to the industries and to the workers. I think, Sir, I should ask the House to think for a moment of the consequences which would be involved if we were to ratify and act on this Convention and other countries did not do so. The result obviously would be, Sir, that we should be flooded with cheap goods from other countries which had declined to adopt a 40-hour week. This would involve claims for ever higher and higher protection, and the result would be an intolerable burden on the consumer.

Another point to which I should like to draw the attention of the House is that a 48-hour week Convention was adopted at the Washington Conference in 1919 and that that Convention has not even yet been ratified by any of the leading European powers. And yet, Sir, the International Labour Conference is now asking us to adopt a Convention which goes much further, a 40-hour week Convention not a 48-hour week one. It passes my comprehension, Sir, I must frankly admit, that the International Labour Conference should not have endeavoured to stabilise the position or rather to reach the position laid down in 1919 before trying to proceed much further. If it has not succeeded in persuading the leading European countries to adopt a 48-hour week, what hope, I would ask, is there of persuading them to adopt a 40-hour week? I cannot help thinking that the International Labour Conference has been inoculated with a double dose of my Honourable friend, Mr. Joshi's idealism. They

want, as he always does, to go the whole way at once instead of proceeding gradually. I would ask the House to appreciate the realities of the situation and to accept the Resolution which I have moved.

Mr. President (The Honourable Sir Abdur Rahim): Resolution moved:

"That this Assembly, having considered the draft Convention adopted by the Nineteenth Session of the International Labour Conference concerning the reduction of hours of work to 40 a week, recommends to the Governor General in Council that he do not ratify the Convention."

Mr. N. M. Joshi (Nominated Non-Official): Sir, I move:

"That for the words 'do not' the word 'should' be substituted, and the following be added at the end :

'and take steps towards the reduction of hours by stages so that 40 hours a week may be established in India as early as practicable'."

The Honourable Member in charge of the Department of Industries and Labour in his preliminary remarks made certain statements from which I intend to dissent. The Honourable Member said that the record of the Government of India in the matter of ratifying Conventions is a very good one. I do not object to the Honourable Member saying that the Government of India has a very good record as regards the number of Conventions ratified but, Sir, the Government of India cannot show a good record by merely showing the figures of ratifications. Much depends upon what Conventions are ratified and what Conventions are not ratified. They may have ratified some Conventions which are not very important and they may have omitted to ratify Conventions which are very important. I shall only mention two or three Conventions which they have not ratified. They have not ratified the Convention for the establishment of some kind of unemployment relief. They have not ratified the Convention for the establishment of some kind of health insurance. They have not ratified the Convention proposing the establishment of some kind of invalid and old age pensions. These three things, which I have mentioned, are very important and the Conventions on these important questions are not ratified. Therefore, I do not think that the Government of India can say that their record is without any blemish in the matter of ratification, because they have ratified certain number of Conventions and other countries have not ratified an equal number of Conventions.

Then, Sir, the Honourable Member said, that the record of the Government of India, in the matter of labour legislation, is also a very solid one and he said that employers have begun to find fault with the pace with which the Government of India is moving. I do not know what the Government of India thinks about the views of the employers in this matter but I can tell them that the workers of India do not feel that the Government of India is going fast enough. Labour legislation in India is much backward as compared with most of the civilised countries in the world. Take any country. Our legislation is backward. I can realise that considering we started labour legislation later than other countries we should be backward for some years, but is India going to be backward for ever and, if we are going to come to the level of other countries, then we must quicken our pace. India cannot afford to be called a backward country in the matter of legislation for all time. Other countries have marched ahead and if we are going to reach their level and come into line with them, we must march very quickly indeed. Then the Honourable Member expressed opinions about the general policy

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of the International Labour Organisation. He said that the International Labour Organisation has become an idealist and is not a practical body. I am quite sure the International Labour Organisation will note the views of the Honourable Member as regards their policy. I would like to say a word and ask the Honourable Member himself what are the changes in the procedure which he contemplates. He said that in the matter of ratifying Conventions a change in the procedure will have to be made. It would have been better if he had suggested what change he contemplates. At present, when Conventions are or are not to be ratified the Government of India have been bringing forward Resolutions before the Legislature, and so far, they have been acting on the recommendation of the Legislature. I want to know whether the Government of India propose hereafter not to bring forward these Resolutions before the Legislature but to act in the matter of ratification by their own executive authority. The Honourable Member should have made his point very clear on this matter. If the Government of India is thinking of substituting the ratification by executive authority for ratification by the Legislature, I am quite sure the whole House will be with me in opposing the adoption of such a procedure. He suggested that the International Labour Organisation is passing so many Conventions that it is making a very great demand upon the time of the House. For instance, there are four Conventions to be considered by the Legislature today. I wonder what time the Legislature will take for the consideration of these four Conventions. The argument that the time of the Legislature will be taken up by the consideration of these Conventions does not hold water at all. I would like the Honourable Member to have a little more faith in the International Labour Organisation than he shows today. The International Labour Organisation may pass Conventions which the Honourable Member finds it difficult to ratify. At the same time, that organisation is laying down standards for the whole world and is doing lot of good work. I would, therefore, like the Honourable Member to show stronger faith in the good work that that organisation is doing, and, in order that India should participate more fully in the work of that organisation, I would suggest to the Honourable Member that he should send a strong and full delegation for the conferences of the International Labour Organisation. For some time the Government of India did not send any adviser to the delegates. Last year, they sent one adviser to each delegate. The agenda of the conference is a long one and various committees are appointed to consider the questions on the agenda. If the Indian workers' delegate is accompanied by only one they cannot take part in the work of several committees. I would, therefore, suggest to the Honourable Member that he should have greater faith in the work of that organisation and instead of sending only one adviser with each delegate, he should send several of them. This year there cannot be any complaint about lack of funds. There is a surplus of two or three crores of rupees and when there is such a surplus I am quite sure it will not be difficult for the Government of India to increase the number of the advisers.

Now, Sir, as regards the Convention itself, the Honourable Member pointed out that the Convention, though it merely accepts a principle, is worded in such a way that there will be a sort of moral binding upon the Government of India to give effect to the other Convention that may

be passed by the International Labour Organization as regards the establishment of a forty-hours week in particular industries. Well, Sir, if the Government of India had any objection of this nature, they should have taken that objection long ago. Sir, the Government of India already accepted the principle of a forty-eight hours week when they signed the Treaty of Versailles and at that time they did not bring forward the excuse that if they accepted the principle of a forty-eight hours week, there would be some moral binding upon them to introduce a forty-eight hours week in India. Sir, Article 427 of the Peace Treaty itself lays down the principle of 48 hours a week. I shall not read the whole but I shall read only the important portion :

"Holding as they do that labour should not be regarded as merely an article of commerce, they think there are methods and principles for regulating labour conditions which all industrial communities should endeavour to apply, so far as their special circumstances permit."

Then, Sir, one of the principles which article 427 lays down is this:

"The adoption of an eight-hour day or a forty-eight hour week is the standard to be aimed up where this has not already been attained."

Sir, the Government of India by signing the Treaty of Versailles did accept the principle of a forty-eight hour week and they have tried to give effect to that principle gradually. Similarly, I would ask them to-day to accept the principle of a forty-hour week and they should give effect to this principle by stages. My suggestion is that the Government of India should immediately inquire into the question of reducing the hours of work to forty-eight and after three or four years they should try and reduce the hours from forty-eight to forty. Sir, I am not asking that the hours of work in India should be reduced immediately to forty. At present the hours of work in factories and mines are fifty-four a week. My suggestion is that they should be reduced to forty-eight after investigation and after forty-eight hours a week are established, two or three years after that, they should try and inquire if the hours of work should not be reduced still further. I am, therefore, suggesting, that the Government of India should accept the principle of a forty-eight hour week and give effect to that principle by stages,—first from fifty-four, the hours should be reduced to forty-eight, and after about three years they should reduce the hours to forty hours.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only one minute more.

Mr. N. M. Joshi: Well, Sir, the Honourable Member pointed out some difficulties. He said if the hours of work are to be reduced, the wages also will have to be reduced. Sir, it is not necessary that any reduction of the hours of work should be accompanied by a reduction in wages. As a matter of fact the Convention suggests that steps should be taken so that the standard of life of the workers should not be allowed to come down. Similarly the Conference passed a Resolution suggesting that steps should be taken so that the standard of life may be maintained. Moreover, supposing the hours of work in India are not reduced, is there any guarantee that the wages will not be reduced? As a matter of fact in the city of Bombay the wages were reduced by twenty-five per cent. long before the hours of work were reduced. Therefore, even if we do not reduce the hours of work, the reduction of wages will not thereby be stopped. If the workers cannot defend their standard of life and if

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their standard of living is attacked by the employers, the wages unfortunately will be reduced whether the hours of work are reduced or not. I, therefore, hope that the Legislature will accept my amendment which is a very reasonable one.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That for the words 'do not' the word 'should' be substituted and the following be added at the end :

'and take steps towards the reduction of hours by stages so that 40 hours a week may be established in India as early as practicable'."

Mr. V. V. Giri (Ganjam cum Vizagapatam : Non-Muhammadian Rural):

4 P. M. Sir, the Government of India is an original member of the League of Nations for which the taxpayer in India pays many lakhs of rupees, but the Government of India persist in coming to this House, year after year, and telling us that they are not prepared to ratify some of the Conventions adopted though they are members of the League of Nations and of the International Labour Office. Of course, I do not expect the Government of India to straightaway say that they would ratify the Convention for a forty-hour week, without reducing the wages, because I know, as a matter of fact, in various industries where the workers demanded that there should be a reduction of the hours of work so that there may be employment for more workers, that was not ~~done~~ seriously, though the workers agreed to a reduction of wages; in fact there has been a long-drawn dispute for the last four or five years when the workers in some cases demanded lesser hours of work and lesser wages, the Government of India did not accept those proposals.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) vacated the Chair which was then occupied by Mr. Deputy President (Mr. Akhil Chandra Datta).]

Sir, our submission is this, that Mr. Joshi's amendment does not seek the immediate ratification of the Convention for forty hours. It merely urges the acceptance of the principle of the reduction. In fact, in most of the industries, as will be admitted without question, there is already a forty-eight hour week in existence. For instance, there has been a reduction from sixty to fifty-four hours in factories where there was a sixty hour week, and so it ought not to be difficult for the Government of India to accept the principle, though they may ~~not~~ immediately agree to put the same into execution. Sir, when there was a discussion of the Washington Convention about a reduction of the hours of work to forty-eight, great fears and doubts were expressed by the employer and I can quote a few lines from the speech of the workers' delegate from France, during the sittings of the International Labour Office, which discussed the question of the reduction to forty hours. He stated as follows. This is from the Proceedings of the International Labour Conference, Eighteenth Session, Geneva, 1934. At page 49, he stated:

"But let us go back to Washington. In 1919, when the employers were confronted with the question of the limitation of hours of work, the declarations made by the Employer's representatives were exactly the same in spirit as they are today. They uttered the same prophecies of evil and seemed even to predict that the

end of the world would come if hours of work were limited to eight in the day, as proposed at Washington. If you take these declarations and compare them with the declarations which the employers are making at the present moment you will find that they are identical in spirit and will give you an excellent idea of the employers' powers of prophecy."

Sir, after the Washington 48 hours a week have been adopted, today there has been a persistent demand on the part of the workers in all parts of the world for forty hours a week. In fact, if one goes through the proceedings of the International Labour Conference at its 18th Session, there was quoted the example of various employers who felt that the introduction of 40 hours week would do no harm but greater good to the industry even from the point of view of profits. I do not want to take time of the House by quoting what has been said by various employers of labour, for they will be found in the proceedings of the conference. So that I do not think there ought to be any difficulty for the Honourable Member in charge of Industries and Labour Department to accept the modest amendment of my Honourable friend, Mr. Joshi. We do not desire the introduction of 40 hours week immediately, we do not even say that if forty hours week have not been introduced already, it must be introduced at once, our contention is that by accepting the principle contained in the amendment, there will be an incentive on the part of the Government of India if they consider at any rate immediately the introduction of 48 hours work in the industries where it is not in vogue. In fact there are certain industries, take for instance the Lilloah workshops, where there are 42 hours week and in most other industries the workers work 48 hours week. Therefore, our desire is that the Government of India should immediately consider the question whether they cannot introduce 48 hours week. After that is done, time will be after a few years to consider the question of 40 hours week. And it is only in that light that this amendment has been placed before the House by my Honourable friend and I hope the House will accept this amendment.

Sir H. P. Mody (Bombay Millowners' Association: Indian Commerce): Sir, for once I find myself whole-heartedly in agreement with the Government in a matter of labour legislation. They have very wisely decided on this occasion to refuse to ratify one of the innumerable Conventions which seem steadily to pour out from Geneva. I think my Honourable friend, Sir Frank Noyce, was very mild and a little too courteous when he gently protested that Geneva was going at too fast a pace. My own view is a little more downright, and I say that the recent career of Geneva is in the nature of the Rake's Progress, and if it is not checked in time we shall one day get up and say that we refuse to co-operate with the International Labour Conference. My Honourable friend, Mr. Joshi, from whom for six years I have in vain expected one word of recognition of the efforts of the Government of India to ameliorate labour conditions, with his usual charitableness, stated that India's record in the matter of labour legislation was most unsatisfactory and that India should not be kept backward for all time to come. I say exactly the contrary. I say that India's record in the matter of labour legislation is one of which she may feel legitimately proud. India was perhaps the first country or one of the first countries in the world to ratify the Washington Convention.

Mr. N. M. Joshi: What was that convention?

Sir H. P. Mody: That convention was that the hours of work should be limited.

Mr. N. M. Joshi: That conference wanted 48 hours.

Sir H. P. Mody: . . . and that in respect of eastern countries certain concessions might be made. What happened? India ratified the convention and introduced accordingly a sixty-hour week and found herself faced with the competition of Japan which refused to ratify the convention for years together, though the workers there were working much longer, and labour conditions were generally inferior.

Mr. N. M. Joshi: Not true.

Sir H. P. Mody: It is forgotten by my Honourable friend and those who are of his way of thinking that India is still in her industrial infancy, and if all these nostrums which are concocted in the laboratory of Geneva were to be poured down the throats of India the results would be disastrous to India?

Mr. N. M. Joshi: How?

Sir H. P. Mody: It will interest my Honourable friend, Mr. Joshi, to know what is at the back of the mind of some people in Geneva who go on supporting these labour conventions. I will read out something which I suppose my Honourable friend, Mr. Joshi, has not yet tumbled to, and I hope he will ponder over it in his calmer moments. This is from a note prepared by the Employers Federation of India:

"During the general discussion in the tripartite conference in 1933, when one of the delegates suggested that the proposed convention to restrict hours should first apply only to a few important industrial countries and the smaller countries could then examine the question, it transpired that the principal point causing anxiety to certain Governments' and employers' delegates was the application of the convention more particularly to eastern countries. They considered that Asiatic countries had no claim for special treatment and that it was most important to make a considerable reduction in the hours of work in those countries. The fact that they were serious competitors to the older industrial countries was stressed, and reference was made to the increase of industrial production in certain eastern countries."

That is really the motive behind the support given to these various conventions, not only on the part of labour, which, of course, is united on this question, but also on the part of some employers' delegates. They want that industrial legislation should be forced at an unnatural pace in this country so that the industrial expansion of India should be rendered very difficult. Well, Sir, I want to know whether any of my Honourable friends are prepared to subscribe to that position. I have during the last few years in this place noticed a great deal of agreement on the question of industrialisation of this country. I want my Honourable friends to understand that if that industrialisation is to proceed at a regular pace, then labour legislation should be checked.

An Honourable Member: Stopped.

Sir H. P. Mody: No, not stopped. There has been a great deal of labour legislation; nobody wants to stop it, but India must proceed gradually. Mr. Joshi asked why India should be backward, why India should

lag behind so many western countries in the matter of labour legislation. Has my Honourable friend Mr. Joshi ever got up at any labour meeting and said, "my comrades"—I do not know what he calls them—"you must put your shoulders to the wheel, and you must be as thoroughly efficient as the workers in the west, as the workers in Japan are. It is one way in which you can improve your standard of living and by which you can help in the industrialisation of the country". Has Mr. Joshi ever said that? No, comparison only comes in in the matter of labour legislation. When it comes to a question of efficiency, Mr. Joshi and those who represent the labour view point are entirely silent. It was only the other day that we introduced a 54-hour week. Are we to go on experimenting with hours of work? Mr. Joshi looked very innocent when he suggested "accept the principle and then gradually work it out".

Mr. N. M. Joshi: May I inform my Honourable friend that in Bombay City itself there are several mills which are working seven hours a day, that is no more than 42 hours a week.

Sir H. P. Mody: If there are mills in Bombay working seven hours a week, that is due to the activities of men like Mr. Joshi, who have made conditions very difficult for us. I was saying Mr. Joshi put forward a very innocent-looking suggestion; I do not know whether he really hoped that he was going to take the Honourable Member in. He said, "accept the principle and gradually introduce the change". Why does he not lay down a time limit; the proper and more straightforward course would be to say, accept the principle and from the very next month reduce one hour a month, so that in a period of fourteen or fifteen months the forty-hour week would be introduced in this country.

I should like to see what country working under normal conditions has introduced the 40-hour week. It is all very well to subscribe to a principle. It may suit Italy for instance, but Italian conditions are abnormal, and it is notorious that wages in Italy are the lowest in Europe.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): Not lower than ours.

Sir H. P. Mody: Relatively to output they are lower. I say that the time has not arrived for tinkering with the hours of work any further. I do not for a moment suggest that the 54-hour week is going to be our minimum for all time to come. By no means. I have sufficient confidence in the future of the world and the progress of humanity to believe that some day we shall work up to the 40-hour week. But conditions must *gradually* move up to that.

Then, Sir, there is another consideration which I have had to point out and emphasise on many occasions in this connection, and that is that every piece of labour legislation introduced into India is a nail in the coffin of Indian industries *vis-a-vis* the industries in the Indian States.

Mr. N. M. Joshi: That is a very old argument.

Sir H. P. Mody: But I hope that everything old is not to be put on the scrap-heap; otherwise we should probably find some of these Benches emptied out. (Laughter.) What I was saying was that we have no sort

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of authority over the Indian States. The worst or the best that the Government of India can do is to try and bring to bear their moral authority over the Indian States to follow in the wake of British India. Well, I have been at the Government of India on innumerable occasions asking them to try and induce the Indian States to adopt the same Conventions which India is adopting; but I do not think that the Government of India has met with success on all occasions. And if the Indian States which enjoy so many definite advantages over British India are to enjoy a still further advantage in the shape of vastly cheaper labour conditions, then I say the tendency towards location of new industries in Indian States will be accelerated, and most industries will find it more profitable to find a habitat in the Indian States rather than in British India with its novel ideas in the matter of labour legislation, and with its Joshis and the like.

Mr. S. Satyamurti (Madras City: Non-Muhammadan Urban): What about the Federation? Labour legislation is a federal subject.

Sir H. P. Mody: No, labour legislation is going to be a provincial federal as well as a concurrent subject.

Mr. S. Satyamurti: Exactly.

Sir H. P. Mody: Not "exactly"; that does not solve it. If it were only a federal subject it would be all right; but the States need not come into line with British India under Federation. I should like my Honourable friend to show me whether that is so or not.

Sir, for all these reasons I say that it will be extremely ill-advised on the part of the Assembly to say that the time has arrived for tinkering with the hours of work, and it should strongly support the motion made by my Honourable friend, Sir Frank Noyce, namely, that India do not ratify this Convention. I hope that when that is done, the International Labour Office will sit up and take notice of India's attitude towards some of its activities. I think we have suffered from Geneva's theorising a little too much; we do not want to suffer any more and I am whole-heartedly in agreement with the motion.

Prof. N. G. Ranga: Sir, I am rather surprised that my Honourable friend, Sir Homi Mody, has thought fit to trot out a new enemy to our industrialism in this country. The other day, he was talking of foreign competition and today he is talking of competition coming from the Indian States. Sir, I would only like him to remember one thing, that, after all, Indian States are a part of India, and it really matters very little indeed to Indian workers and also to those Indians, who are anxious for industrial progress, whether this industrial progress takes place in British India or in the Indian States. Sir, he was talking of Japanese competition, having had to be experienced by our Indian industries because they came to accept the Geneva Conventions and also the Washington Conventions. He was talking of the generous manner in which the Indian employers have been co-operating with the Government of India in getting so many of these Geneva Conventions ratified in this House. Sir, I hope he himself as well as the House will remember the fact that at no time have Indian employers come forward readily with their offer of co-operation either with labour or with Government, for ratifying any particular Convention long before the Government of India itself took the initiative.

Sir, the history of Indian employers' relations with Indian labour is replete with instances of their attempts to sabotage Indian labour, to exploit Indian labour, and to suppress Indian labour. And I need only quote just a few lines from a speech delivered by Mr. Jamnadas Mehta at the Geneva Conference in reply to what the employers are saying about their own achievements in regard to these labour Conventions. He says :

"The Government of India" (as well as the employers) "take a great deal of credit to themselves, and point out again and again with pride that they have ratified the Washington and Geneva Conventions, and they say that, until others have done so, it is no use going any further. I am here to state that this boast of the Government of India is entirely unjustified. When they adopted the Washington Convention, the sixty-hour week was already an accomplished fact in a large number of industries. The sixty-hour week was an actual fact, which the Government simply registered in 1922. And when the Labour Commission in 1931 recommended the fifty-four hour week, the Government again claimed—and the Employers' Delegate was quite willing to associate himself with that—that fifty-four hours' work would be sufficient. But the Government knows very well that in Indian industries the fifty-four hour week is not the normal week; hours of work are less than fifty-four, and in having legislation for fifty-four they are not doing anything except registering the fact."

Similarly, in regard to this Convention of forty-eight hour week, Government have not so far done anything, but only paid lip sympathy by accepting the principle. Now, Sir, they are unwilling to accept the principle underlying this particular Convention merely because they do not wish to give effect to that 48-hours Convention in the near future or even in the distant future. It is a sort of pernicious attempt on the part of the Government of India, evidently supported by the Indian employers, which I am sure this House will be ready to protest against and also to vote down.

Then, Sir, the Honourable Member for Industries himself held out a sort of threat that, hereafter, the Government of India are not going to be so very ready and enthusiastic about accepting Conventions coming from the Geneva laboratory, as defined by my Honourable friend, Sir Homi Mody. That is the sort of attitude which is really very dangerous indeed in the interests of Indian labour. Sir, I wish to warn this Government as well as the employers that if they were to take the responsibility on their own shoulders of accepting or not accepting these various Conventions that are being passed and promulgated at Geneva in the minimum interests of labour and if they do not leave it to be decided by this House, then they will be running a very great risk indeed and they will be doing a very great injustice to Indian labour. Then, Sir, we are told that Geneva has become a hot-bed for idealists and the Geneva Labour Conference have bid good-bye to their ordinary practical common sense and are now thinking of manufacturing Conventions merely for their own sake, and in this connection the Honourable Member for Industries and Labour has a very strong supporter in the representative—the mouthpiece—of employers, Sir H. P. Mody. Sir H. P. Mody was even prepared to request the Government of India the other day that they should stop any further legislation in regard to labour, and the Honourable Member for Commerce also has made it perfectly clear that as far as railways are concerned, he was bent upon putting a stop to any further legislation. Sir, this bodes ill indeed to the Indian labour world, and it is necessary that this House should certainly suggest a means of protesting very vigorously against this reactionary attitude that the Government of India as well as employers of labour wish to take against Indian labour.

[Prof. N. G. Ranga.]

Lastly, I wish to draw the attention of the House to the fact that though some important countries in the West have not been able to accept this Convention of a 40-hour week, it is still true that India is far backward in her labour legislation. Our industrialists are very anxious that we should give them protection, that we should give them bounties and that we should give them every possible encouragement, and Indians have not been really miserly in their response to our industrialists and their needs. Rs. 54 crores are being paid every year by Indian consumers for the benefit of Indian industrialists. These Rs. 54 crores are being paid through the Government of India: in addition to this, another Rs. 108 crores are derived from Indian industries. The production of Indian industries is never less than twice as much as the imported articles on which import duty is being paid. In all, the Indian consumers are paying Rs. 162 crores in order to subsidise, in order to help, in order to foster the Indian industries, and is it not reasonable that these consumers should turn round and expect employers to make their contribution to some extent at least towards the maintenance of minimum standards of labour? Is it not reasonable that this House should expect them to try to improve the efficiency of their own labour—whose inefficiency they are themselves deploring—and to try to improve their standard of living. We are told by the Honourable Member in charge that if the hours of labour were to be reduced, the wages also might be reduced. I do not see any reason why the wages should be reduced if only Indian industrialists and Indian capitalists would set about improving their own internal organisation, improving their own management system and improving their own efficiency and the efficiency of their own workers by establishing a suitable industrial and educational system in this country. If only the Indian industrialists play their role properly and satisfactorily, I am sure it would not be impossible for Government to accept this 40-hour Convention and at the same time continue to pay the present level of wages. These wages are very very low. So low, that by raising the wages and by improving the efficiency of their labour, they would be making very good business. I, therefore, request this House to support Mr. Joshi's amendment and declare to the Indian labour world as well as to Indian consumers in this country that this House is just as serious about making employers discharge their duties as it has always been in providing them with the necessary help and assistance. In fact they are being pampered. If there is any party in this country which has been pampered most, it is the Indian industrialists. It is all very well for them to say that they are in their infant stage. I do not know for how long they would be infants. The Bombay textiles have had 60 years to live, and nearly twenty years of protection, and yet they exploit, not only the consumers, but also labour, after having had as much protection as they have desired for on the plea of their infancy. It is best that we should not have such an industry at all, and it is best that that kind of industry should be controlled and directed by the State rather than be managed by these inefficient industrialists, who at the same time are able to make millions and millions for themselves.

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Sir Oowasji Jahangir (Bombay City: Non-Muhammadan Urban): Mr. Deputy President, if I have heard my Honourable friends correctly, including Mr. Joshi and Mr. Giri, they have not contended that they desire a 40-hour week immediately.

Mr. N. M. Joshi: No, they have not.

Sir Cowasji Jehangir: My friend, Mr. Joshi, admits that. Now, the amendment that he has moved is that we do accept a 40-hour week immediately.

Mr. N. M. Joshi: Principle.

Sir Cowasji Jehangir: If we accept that, it would absolutely be the duty of Government to bring in a Bill for a 40 hour week.

Mr. N. M. Joshi: No, Sir.

Sir Cowasji Jehangir: We are not accepting principles, we are accepting absolute facts. Here is a Convention in which it has been suggested that India should accept a 40 hour week. If the Government of India are not ready to accept that Convention immediately, but if they are to work up to it, it is their duty to refuse to accept that Convention. If next year or three or five years hence, Mr. Joshi comes to the conclusion that India is in a position to be able to carry out this Convention in its letter and spirit, it is his duty to bring it up before the Legislature for its acceptance. But you cannot ask Government to accept a Convention and then ask them not to give effect to it immediately. I cannot understand anyone admitting, on the one hand, that this is not the time when we should put a 40 hour week into effect, and on the other hand, saying that Government should accept the Convention. I presume that Geneva will expect India to carry out her pledge of having a 40 hour week within, say, a year's time if she accepted the Convention. Therefore, it appears to me that there is only very little difference of opinion. I cannot agree with either Mr. Joshi or Mr. Giri when they say that we are merely accepting the principle and we need not put it into effect for some years to come. What is the use of accepting a principle and then not putting it into effect? The Resolution moved by my Honourable friend, the Member of Government, is that the matter be postponed as they cannot accept it immediately. He has not said either in his speech or in the Resolution that Government should never give effect to it or should never accept it. That is the main point. Under the circumstances, I can see no other way but for this House to accept the Resolution placed before it by the Honourable Member for Industries and Labour.

There is just one more point to which I would like to draw the attention of the Honourable House. I need not draw the attention of my friend Mr. Joshi to it, because he knows it too well, and that is, that although nominally we have got a 54 hour week, how many hours do the workmen actually put in? How much do they actually work? Now, it is a notorious fact that in India, specially in my part of the world, although there may be a 54 hour week the workmen are not in the factory the whole time

Mr. N. M. Joshi: Therefore reduce the hours.

Sir Cowasji Jehangir: A considerable amount of time is spent mooching about

Mr. S. Satyamurti: What does that mean?

Sir Cowasji Jehangir: . . . knocking about, smoking biris and washing their faces: that is a notorious fact; and when the management try to bring about a little more efficiency, that is, to say, try and get, if not 54 hours, at least 50 hours or 48 hours of real work out of the workmen,

[Sir Cowasji Jehangir.]

there is my friend, Mr. Joshi, and company to ask them to strike, because the rules, which are really meant to carry out efficiency, are supposed to be oppressive. Nobody knows these facts better than my Honourable friend, Mr. Joshi. Let us forget about all these European ideas of having so many hours of work; let us concentrate and see how many hours the workmen will really work

Mr. N. V. Gadgil (Bombay Central Division: Non-Muhammadian Rural): Let us discard European clothes first.

Sir Cowasji Jehangir: Before asking for a 50 or 40 hour week, suppose we ask for a retrograde step and ask for a 60 hour week, I contend we would get nothing out of it: the workman is not going to work: he will go outside the sheds for many more hours than he does at present; and if you make it a 40 hour week, I make bold to say that he will still continue to go out from the sheds, but perhaps a little less than he does now, because he will not have the time to do so. Therefore we have got to be practical in India and we have got to really make our laws and regulations suitable to our conditions. I trust that my friend Mr. Joshi realises this as much as anybody else. He told us just now that there are some mills in Bombay which have a 7 hour day. I would like to ask him which mills

Mr. N. M. Joshi: E. D. Sassoon's.

Sir Cowasji Jehangir: Double shift or three shifts: the cat is out of the bag.

Mr. N. M. Joshi: What is the cat out of the bag?

Sir Cowasji Jehangir: My Honourable friend did not tell the House that there is seven hours a day with three shifts working, 21 hours a day . . .

Mr. N. M. Joshi: May I interrupt my Honourable friend and tell him that each workman works for seven hours: there may be three shifts: other people work in the other shifts.

Sir Cowasji Jehangir: He works for seven hours and gets less pay . . .

Mr. N. M. Joshi: No, no.

Sir Cowasji Jehangir: and, then, another shift comes and works for seven hours and gets less pay. If my Honourable friend had contended that there was more employment due to this three shift arrangement, I would admit it. But to come and tell this House that there are mills in Bombay who have seven hours work a day is an incorrect statement of fact, admitted by him

Mr. N. M. Joshi: No: not admitted: I have not admitted it.

Sir Cowasji Jehangir: Of course you cannot get more than 24 hours out of a day; you must reduce the working man's time if you introduce three shifts

Mr. N. M. Joshi: The machinery works longer.

Sir Cowasji Jehangir: That is typical of the information that my Honourable friend is accustomed to give to this House. I am not going to say that he deliberately misleads, but he misleads himself, and, in his

attempt to mislead himself, he misleads others. I have said enough to show that we are all practically agreed that this Convention cannot be accepted today; and if my Honourable friend moves that it be accepted, I feel sure he would consider that it was his duty to bring in legislation at the earliest moment

The Honourable Sir Frank Noyce: Quite so.

Sir Cowasji Jehangir: and if he accepted it and did not bring in legislation at the very earliest moment, I would be the first to contend that the Government of India were acting dishonestly; and since I do not desire to see them act dishonestly, I will be only too pleased to support him on this present occasion; and as my friend, Sir Homi Mody, has said, that does not mean that a 40-hour week will never come to India: it will come in time, and perhaps champions of labour will draw the attention of this Honourable House when the time does come and will insist on seeing that the Convention is accepted and immediately put into practice.

Mr. Sri Prakasa (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, the Honourable Member for Industries and Labour is an earnest Christian; and it would not be improper if I called his attention to an important injunction in the Holy Bible to the effect that we should do unto others as we wish that they should do unto us. As a public man, I have been used to very long hours of work and for no pecuniary reform; but since I became a Member of this Assembly, I find that four hours and three quarters of work per day makes people perspire; and that despite Rs. 20 a day!

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

Now, I should certainly suggest to the Honourable Member that he should not expect the factory labourers of this country to work more than he expects us to work here. I have worked out the figures and I find that our week is of 23½ hours. That may be the labourers' week also! The fear about cheap and nasty goods being dumped in our markets is not a very genuine fear; because, when we have such a cheap and inefficient Government in our country, we can afford to have cheap and bad things also. No harm will be done by our getting bad things if no harm has been done by getting a bad Government. I think the original sin on our part was to have got into these international obligations at all, and to have had anything to do with these international institutions in the past. Now that we have got tacked on to these international affairs it happens that every year the Honourable Member has to come to this House and ask that the various conventions should not be ratified.

Let us not forget that we are essentially an agricultural people; and agricultural people cannot be made to work to order. A number of agriculturists from my part of the country go down to the town which has the honour of having such distinguished Baronets and Knights as those who have already spoken: but though the Baronets and Knights are able to survive the climate of their City and come to this Assembly, both at Simla and Delhi, I find that my people never return: they all die there. The conditions of factory life apparently are so bad in Bombay that persons who go down there, from my part of the country, never live to come back. Therefore, something must be very wrong somewhere, and I think the long hours of

[Mr. Sri Prakasa.]

work in impossible conditions are responsible for their early death. Agricultural people, Sir, are used to work on an average about two hours a day. They have scarcely anything to do when it rains for about four months in the year; and sometimes, when they have very heavy work on hand, they work from early morning till late at night. I do not like the hours of work which are prevalent in factories, as they do not suit us. I have full sympathy with what my friend, Sir Homi Mody, said about the inefficiency and laziness of my people. I myself am often worried by the inefficiency and laziness of those with whom I come in contact, including Members of the Government. The cure for this disease is that our people should be given proper food, proper clothing, proper housing, proper domestic conveniences, and, above all, proper training. Unless our employers look after these essentials, they will never get an efficient and contented people. My great complaint against the Government and the employers, and against every person, who is in a position of authority in the country, is that they do not care what happens to the people in general so long as their own interests are satisfied. I am sure if these Bombay magnates saw to it that our people are properly looked after, properly trained, properly taught their rights and duties and fully assured of what is their due, we would have a happier and healthier people.

Therefore, Sir, if we are really serious, if we mean to improve both the industries of the country and the well-being of the people, then this aspect of the question should be given very particular attention. I agree with my friend, Sir Homi Mody, that we should not be tied to the apron strings of Europe or America or made to follow whatever they do. We seem to follow them in all that is bad, including putting on European clothes. (Laughter.) We do not care to follow them in all that is good, namely, efficiency, honesty, sincerity, hard work, devotion to duty and other things necessary for the uplift of the general mass of the people. So, Sir, if the Government and Bombay magnates alike combine to look in to this side of the question, we should be in a much better position. I certainly strongly recommend to the Government that they should do away with all these conventions, and put themselves out of the purview of these International complications, and look at the country as it is, examine the conditions of the people as they are, and use their resources and their sympathetic imagination to improve their lot in every possible way. If they do that, we shall not have to witness the scenes that we witness in this House and outside. I hope, Sir, my suggestion will be accepted by the Honourable Sir Frank Noyce, who as we all know, is a generous and kind-hearted man with a keen brain and sympathetic imagination; and who, if any one, can certainly help us and lead us along right lines in the matter of the equitable adjustment of the relations between Capital and Labour.

The Honourable Sir Frank Noyce: Sir, if my Honourable friend, Mr. Joshi's amendment were accepted, it would mean:

"That this Assembly do recommend to the Governor General in Council that he should ratify the convention and take steps towards the reduction of hours by stages so that a 40-hour week may be established in India as early as practicable."

I know only too well, Sir, what the acceptance of Mr. Joshi's amendment would mean. Next year, at this time of year, he would be standing up in this House and asking in that voice that I know so well—
"Mr. President, what are the Government of India doing to bring about

a reduction in the hours of labour from 54 hours to 48 hours?" I shall not be here the following year, but I have no doubt that, whoever is in my place, will be faced with the same question as again the following year, and so on, *ad infinitum* possibly. I have suffered, Sir, from those queries for four years. I shall suffer from them for another year, and I have no doubt that my successor will suffer from them too. But on one thing I am determined, and that is, to do my best to induce this House to accept this Resolution as it stands, so that he shall not be afflicted with at least one complaint. In all seriousness, Sir, I am profoundly disappointed, if I may say so, by the speeches from the Opposition Benches and also by the speech of Mr. Joshi himself in support of his amendment. The only argument which has been adduced is that it is a good thing for the workman to have his hours reduced from 54 hours a week to 40 hours a week. Well, Sir, that may or may not be the case, and I can only say that I profoundly wish that my own hours of work were reduced from something nearer 70 hours to 40 hours a week. My complaint is that no speaker has made the smallest effort to meet my point in regard to the effect of a reduction to forty hours on prices and wages. The point I endeavoured to make, Sir, was that unless a 40-hour week were universal and were generally adopted in all countries, it would mean that the countries which adopted a 40-hour week would be very heavily penalised at the expense of those who refused to come in. And again, unless the 40-hour week were universally adopted throughout all industries, the position would be the same. If particular industries were singled out for special treatment, that would mean that their costs of production would go up, that their prices would go up, and that they could not carry on. I entirely agree with my friend, Sir Cowasji Jehangir, that it would serve no useful purpose to adopt this convention, that it would in fact be a breach of faith to adopt it, unless we meant to bring it into actual operation at an early stage. As I have clearly said, if this country were to adopt this convention and other countries did not do the same, competition from outside must increase and prices must go up. Now, Sir, my friend, Mr. Ranga, was the only person who mentioned the consumer. He has, in past speeches, paid special attention to the interests of the consumer in this House, but I did not notice any sign, or, only a very faint sign, of his doing so today. The mass of the consumers in this country are agriculturists. The adoption of a 40-hour week in industries must send up the prices of all the goods they purchase, and the burden on them would be intolerable. I have, Sir, in my hand a number of resolutions passed by the Peasant Group of M. L. As. which was sent to me by my friend, Professor Ranga, some time back. The second of those resolutions runs as follows:

"While recognising the need for affording adequate and timely protection to Indian industries in order that such industries when properly and fully equipped may provide remunerative employment to the growing numbers of unemployed, this group is anxious to see that the masses are burdened by protective duties only for so long and to such an extent as will be demonstrably proved to be necessary."

Those, Sir, are very laudable sentiments, but I can assure my friend that if he works for the acceptance of Mr. Joshi's amendment, he will be doing singularly little to carry them into practice. The adoption of a 40-hour week in this country at this juncture would mean protective duties at a level which would be very much higher than that which exists at present and which would hit the masses very hard.

[Sir Frank Noyce.]

My Honourable friend, Mr. Joshi, is not consistent. He says at one moment that Government should ratify the convention. At the next, he says "Well, you can only proceed by stages; 48 hours at once and perhaps after an inquiry you may adopt 40 hours". I would ask him, Sir, how can you ratify a convention if at some distant date you propose to have a further inquiry before you bring it into practical effect?

Mr. N. M. Joshi: You need not have the inquiry?

The Honourable Sir Frank Noyce: My Honourable friend suggested an inquiry. Now, he is not so keen about it. Obviously, if 5 P.M. you have an inquiry, the results have to be taken into consideration before you can take the next step. That is why I say that my Honourable friend is inconsistent. I would add one comment with reference to his contention that the Government of India have accepted the principle of the 48-hour week. That is not the case. The Versailles Treaty contemplated special provisions for special countries and the very Convention which adopted the 48-hour week allowed India 60 hours. All I would say in conclusion is that my Honourable friends, Mr. Joshi and Mr. Giri, must face the position. If we are only going to accept 48 hours now or in the near future, how can we possibly ratify this Convention? We are not accepting the principle of it. Finally, I would ask the House in all seriousness to consider what is really the crux of the whole question. Why should we now go to a stage which even Western countries are not prepared to accept? That, Sir, is my final, and, I hope, conclusive argument.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That for the words 'do not' the word 'should' be substituted, and the following be added at the end:

'and take steps towards the reduction of hours by stages so that 40 hours a week may be established in India as early as practicable'."

The Assembly divided:

AYES—42.

Abdullah, Mr. H. M.
Aney, Mr. M. S.
Asaf Ali, Mr. M.
Ayyangar, Mr. M. Ananthasayanam.
Banerjee, Dr. P. N.
Bhagavan Das, Dr.
Chattopadhyaya, Mr. Amarendra Nath.
Das, Mr. Basanta Kumar.
Desai, Mr. Bhulabhai J.
Gadgil, Mr. N. V.
Ghiasuddin, Mr. M.
Giri, Mr. V. V.
Govind Das, Seth.
Gupta, Mr. Ghansham Singh.
Hans Raj, Raizada.
Hosmani, Mr. S. K.
Jedhe, Mr. K. M.
Jogendra Singh, Sirdar.
Joshi, Mr. N. M.
Kailash Behari Lal, Babu.
Khan Sahib, Dr.

Khare, Dr. N. B.
Lahiri Chaudhury, Mr. D. K.
Lalchand Navalrai, Mr.
Maitra, Pandit Lakshmi Kanta.
Mangal Singh, Sardar.
Mudaliar, Mr. C. N. Muthuranga.
Pant, Pandit Govind Ballabh.
Parma Nand, Bhai.
Raghubir Narayan Singh, Choudhuri.
Rajan, Dr. T. S. S.
Ranga, Prof. N. G.
Satyamurti, Mr. S.
Sham Lal, Mr.
Shaukat Ali, Maulana.
Sheodass Daga, Seth.
Singh, Mr. Ram Narayan.
Sinha, Mr. Anugrah Narayan.
Sinha, Mr. Satya Narayan.
Sinha, Mr. Shri Krishna.
Sri Prakasa, Mr.
Varma, Ma. B. B.

NOES—48.

Abdoolah Haroon, Seth Haji.
 Acott, Mr. A. S. V.
 Ahmad Nawaz Khan, Major Nawab.
 Allah Bakhsh Khan Tiwana, Khan
 Bahadur Nawab Malik.
 Aminuddin, Mr. Saiyid.
 Ayyar, Diwan Bahadur R. V.
 Krishna.
 Ayyar, Rao Bahadur A. A.
 Venkatarama.
 Bajpai, Sir Girja Shankar.
 Bhagchand Soni, Rai Bahadur Seth.
 Craik, The Honourable Sir Henry.
 Dalal, Dr. R. D.
 Das-Gupta, Mr. S. K.
 Dash, Mr. A. J.
 DeSouza, Dr. F. X.
 Essak Sait, Mr. H. A. Sathar H.
 Gajapatiraj, Maharaj Kumar Vijaya
 Ananda.
 Gauba, Mr. K. L.
 Gidney, Lieut.-Colonel Sir Henry.
 Grigson, Mr. W. V.
 Hands, Mr. A. S.
 Hudson, Sir Leslie.
 Hutton, Dr. J. H.
 James, Mr. F. E.
 Jawahar Singh, Sardar Bahadur
 Sardar Sir.

Jehangir, Sir Cowasji.
 Khurshaid Muhammad, Khan Bahadur
 Shaikh.
 Lal Chand, Captain Rao Bahadur
 Chaudhri.
 Leach, Mr. F. B.
 Lloyd, Mr. A. H.
 MacDougall, Mr. R. M.
 Metcalfe, Sir Aubrey.
 Mody, Sir H. P.
 Morgan, Mr. G.
 Muhammad Nauman, Mr.
 Mukherjee, Rai Bahadur Sir Satya
 Charan.
 Noyce, The Honourable Sir Frank.
 Rau, Mr. P. R.
 Row, Mr. K. Sanjiva.
 Sale, Mr. J. F.
 Sarma, Mr. R. S.
 Scott, Mr. J. Ramsay.
 Singh, Rai Bahadur Shyam Narayan.
 Sircar, The Honourable Sir
 Nripendra.
 Spence, Mr. G. H.
 Tottenham, Mr. G. R. F.
 Vissanji, Mr. Mathuradas.
 Witherington, Mr. C. H.
 Yamin Khan, Sir Muhammad.

The motion was negatived.

Mr. President (The Honourable Sir Abdur Rahim): The Chair will now put the original Resolution to the vote. The question is:

"That this Assembly, having considered the draft Convention adopted by the Nineteenth Session of the International Labour Conference concerning the reduction of the hours of work to 40 a week, recommends to the Governor General in Council that he do not ratify the Convention."

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Monday, the 9th March, 1936.